

## LEARNER PRIVACY NOTICE

|                                     |                |
|-------------------------------------|----------------|
| <b>Date to be implemented from:</b> | September 2026 |
| <b>Date to be reviewed by:</b>      | August 2027    |
| <b>Version No:</b>                  | v11            |
| <b>Lead responsibility:</b>         | Director       |

| <b>Distribution to:</b> |                                              |
|-------------------------|----------------------------------------------|
| All Staff               | <input checked="" type="checkbox"/>          |
| SLT only                | <input type="checkbox"/>                     |
| Teaching Staff/Tutors   | <input type="checkbox"/>                     |
| Administration Staff    | <input type="checkbox"/>                     |
| Other (please specify)  | <input checked="" type="checkbox"/> Learners |

|                                                             |                                                    |
|-------------------------------------------------------------|----------------------------------------------------|
| <b>Key Contacts:</b>                                        |                                                    |
| William Barrett-Bell - Compliance & Data Protection Officer | 01438 727667                                       |
| Information Commissioners Office                            | <a href="http://www.ico.org.uk">www.ico.org.uk</a> |

**This Policy supersedes any previous Policy of this name or instructions that pre-date this edition.**

**It is a condition of enrolment that you give your explicit permission for Barrett-Bell Limited to process data about you, including sensitive or special categories of personal data, both manually and electronically, in accordance with the UK General Data Protection Regulation (GDPR) (Regulation (EU) and Data Protection Act 2018.**

## **LEARNER PRIVACY NOTICE**

### **1 Policy Statement**

Barrett-Bell Ltd does all it can to ensure that Learners' information is safe and secure. The Company is committed not only to the letter of the Law, but also to the spirit of the Law and places high importance on the correct, lawful and fair handling of all personal data, respecting the legal rights, privacy and trust of all individuals with whom it deals.

This Notice must be read in conjunction with the Data Protection Policy.

### **2 Regulations**

Following the UK's departure from the EU, the GDPR was incorporated into the domestic Law that applies in the UK, under Section 3 of the European Union (Withdrawal) Act 2018 (the "Withdrawal Act"). UK Data Protection Law is primarily governed by the UK GDPR and the Data Protection Act 2018 (DPA), amended by the Data (Use and Access) Act 2025 (DUAA).

The Privacy and Electronic Communications Regulations (PECR) relates to specific exemptions for analytics and security (e.g. website cookie consent) from February 2026.

### **3 Principles**

When you enrol as a Learner you will need to complete and sign, our Learner Agreement and our Learner Privacy Notice, which contain ESFA and Barrett-Bell Ltd UK GDPR Policy information and declarations. This allows us to process your details. It is a condition of

enrolment that Learners give their explicit permission for Barrett-Bell Limited to process data about individuals, including sensitive or special categories of personal data, both manually and electronically, in accordance with the UK General Data Protection Regulations (GDPR) and Data (Use and Access) Act 2025 (DUAA).

- 3.1 **Who we are** – Barrett-Bell Ltd (and the partners it uses to deliver courses) is a reputable company that has delivered ESFA training courses successfully for many years.
- 3.2 Barrett-Bell Ltd's **lawful basis for processing data**, is our mandatory obligation to gather the information required by our governing bodies, awarding bodies, ESFA, Learner Loans, Ofsted, Inland Revenue and the Government. In order for our use of your personal data to be lawful, Barrett-Bell Ltd needs to meet one (or more) conditions in the data protection legislation. For the purpose of our courses the relevant condition is Article 6(1)(a) ie. that you have given your consent.
- 3.3 **The nature of the data we will collect** will only be that which is required by the ESFA, Examination Board, External Inspection and for the effective delivery of Barrett-Bell Ltd and partner courses. This will include:
- Correspondence both electronic and paper based
  - Personal data for proof of Eligibility
  - Application Forms
  - Any disclosed special need or health requirement
  - Payment records
  - ILPs
  - Attendance and Punctuality
  - Examination and achievement data
  - Employment or further training tracking
- 3.4 **Who we will give your personal data to** might include contracted partners and/or other partner organisations, funding agencies, ESFA and Examination Bodies (with whom we need to share your personal data for specific purposes). We will not share with any other organisation unless directed by the Learner and permission granted.

We will not share your data without permission, except for Safeguarding reasons with other services.

3.5 **How we will keep your data** by storing within secure storage systems, both hard copies and electronic, and will not be used or disclosed for purposes other than those described within this Privacy Notice.

3.6 **How long we will keep your personal data** depends on the requirements by the DfE, ESFA and other key Stakeholders who set the expectations. In compliance with Data Protection legislation, all copies of a Learner ID must be destroyed, or returned to the Learner, 6 months after the Learner's start date (see Appx II for other timescales).

3.7 **Your data protection rights** (also see Section 5) are always valid and Barrett-Bell Ltd adheres to the best practice and legislation:

- Upon request, you may be given access to information held within our system as regards to your personal data. Barrett-Bell Ltd will comply with correctly addressed Subject Access Requests (SAR) for access to personal information as quickly as possible and will ensure it is provided within one calendar month, unless there is a good reason for the delay which will be notified to the person making the request.
- The owner of the information may challenge the accuracy and completeness of information held and have it amended appropriately.

## 4 Process

4.1 Barrett-Bell Ltd and its delivery partners will:

- Only collect data that we have a statutory and legal requirement to gather (see Appx III for Categories)
- Only pass your data to relevant external bodies, e.g. awarding bodies
- Only keep your data for as long as our legal and statutory requirements allow (or longer if agreed by the individual)
- Destroy your data securely

- Provide you with a report of data held on request

4.2 Barrett-Bell Ltd and its delivery partners will not:

- Share your data with anyone outside Barrett-Bell Ltd without your permission (except the relevant external bodies mentioned above)
- Sell your data to a third party
- Use your data to discriminate against you

4.3 Barrett-Bell Ltd and its delivery partners will handle all data by:

- Collecting data for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
- Processing data lawfully, fairly and in a transparent manner in relation to individuals
- Ensuring data is adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed
- Ensuring data is accurate and, where necessary, kept up to date
- Ensuring data is retained only for as long as necessary
- Ensuring data is processed in an appropriate manner to maintain security

4.4 In accordance with the \*ESFA Privacy Notice (see Appx I) and in accordance with data protection legislation, Learner personal information is used by Barrett-Bell Ltd to exercise its functions to meet its statutory responsibilities. Barrett-Bell Ltd may share personal information with third parties for education, training, employment, research and financial auditing in relation to any formal course it delivers where applicable additional training options facilitated by Barrett-Bell Ltd.

4.5 Barrett-Bell Ltd is accountable for security and confidentiality of all data we collect. This is overseen by our Data Processor. A number of measures are in place to ensure Barrett-Bell Ltd are accountable as the Data Controller:

- Adopting and implementing Data Protection Policies
- Putting written contracts in place with organisation that process personal data on our behalf
- Maintaining documentation of our processing activities
- Implementing appropriate security measures
- Recording and, where necessary, reporting personal data breaches
- Adhering to relevant Codes of Conduct
- Implementing a privacy framework to create a culture of privacy
- Keeping individuals informed of data collected, secure storage, retention, disposal and updates

## 5 Learner Rights

5.1 Learners have the following rights:

- The right to be informed about data
- The right to question what data is kept
- The right of access to their own data
- The right to rectification if data is wrong
- The right to having data erased when no longer valid
- The right to restrict processing of unnecessary data
- The right to object to any data which is not necessary or wrong

5.2 **Consent** - When a Learner completes a Learner Agreement they expressly give permission to Barrett-Bell Ltd to process Learner data, including sensitive or special categories of personal information about Learners. This is a condition of enrolment. This information will not be used to make automated decisions about a Learner's learning journey:

- Consent shall be freely given, fully informed and evidenced on appropriate documentation
- Requests for consent shall be easily understood, in plain English and unambiguous
- Consent can be withdrawn at any time for data, which is not statutory and lawfully required for the course
- Silence, inactivity, lack of response and pre-ticked boxes are not to be taken as indicating consent

5.3 In the rare exception of a **data breach** – the regulations outlined in the Data Protection Policy will be followed. If any breach affects Learners adversely in any way, they will notified without delay. Learners should report any suspected breaches to the Directors but retain the right to report a data breach directly to the Information Commissioner's Office [www.ico.org.uk](http://www.ico.org.uk)

5.4 Barrett-Bell Ltd operate a number of **CCTV** cameras in order to assist with the security of the Company and protect property and individuals. If any Learner has any queries regarding the operation of the CCTV system, they should contact the Director. The images are held in secure conditions for 30 days, and previous data is automatically erased.

5.5 The Barrett-Bell Ltd website uses **cookies** to distinguish you from other users of our site. This helps us to provide you with a good experience when you browse our site and also allows us to improve our site. Consent is no longer required for specific, low-risk cookies. This includes first-party analytics cookies used strictly by the website operator and cookies used solely to customise appearance or display preferences (such as accessibility settings. For detailed information on the cookies we use and the purposes for which we use them see our Cookie Policy.

## **Appendix I - \*ESFA PRIVACY NOTICE**

This privacy notice is issued by the Education and Skills Funding Agency (ESFA), on behalf of the Secretary of State for the Department of Education (DfE). It is to inform Learners how their personal information will be used by the DfE, the ESFA (an executive agency of the DfE) and an successor bodies to these organisations. For the purposes of relevant data protection legislation, the DfE is the data controller for personal data processed by the ESFA.

Your personal information is used by the DfE to exercise its functions and to meet its statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique Learner number (ULN) and a personal learning record (PLR). Your information will be securely destroyed after it is no longer required for these purposes.

Your information may be shared with third parties for education, training employment and well-being related purposes, including for research. This will only take place where the law allows it and the sharing is in compliance with data protection legislation.

The English European Social Fund (ESF) Managing Authority (or agents acting on its behalf) may contact you in order for them to carry out research and evaluation to inform the effectiveness of training.

Further information about use of and access to your personal data, details of organisations with whom we regularly share data, information about how long we retain your data, and how to change your consent to being contacted please visit:

[https://www.gov.uk/government/publications/esfa-privacy-notice.](https://www.gov.uk/government/publications/esfa-privacy-notice)

## Appendix II - Retention Timescales

Data is held by Barrett-Bell Ltd and our third party examination organisations, for statutory periods:

- Barrett-Bell Ltd hold staff details, qualifications, appraisals, reviews HR files for a minimum period of 5 years after the end of employment. Financial information must be held for a period of 3 years after the end of employment.
- Barrett-Bell Ltd hold Portfolios and assessment documentation for a minimum of 3 years post completion, in accordance with awarding bodies.
- Barrett-Bell Ltd hold individuals contact information and qualification dates for a minimum of 5 years for those who have consented (we will contact Learners to remind them of their renewal dates and inform them of courses relevant to them).
- Barrett-Bell Ltd hold copies of ID for Learners until their loan has been approved, at which time it is shredded and documented as shredded correctly.
- City & Guilds hold individual's registration and certification information for 6 years.
- Blueflame hold individual's registration, ACS elements course work, certification information for 6 years.
- ESFA hold information for a period of 6 years.
- Tracpipe hold copies of certificates without timescale to ensure those working with their product are qualified.

If at any time you wish to withdraw your permission for Barrett-Bell Ltd to hold your information, please contact us on [info@barrettbell.co.uk](mailto:info@barrettbell.co.uk), 01923 253866.

If you wish to investigate the UK GDPR further, please go to the Information Commissioners Office website [www.ico.org.uk](http://www.ico.org.uk).

## Appendix III – Data categories

### A. DATA HELD ON EVERY LEARNER

| TYPE OF INFORMATION HELD                     | DESCRIPTION                                                                                                                                                                                                                                                                                                                                                          | PROCESSING INFORMATION                                                                                                                                                              |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Personal Details                          | For enrolment, Learner number, identity card and equal opportunities.<br>Name, address(s), email, telephone numbers, gender, date of birth, age, ethnicity, nationality, qualifications, previous education, emergency contact details, NI number, medical conditions, disabilities, Learning support needs, employment status, knowledge, experience, future plans. | Data is processed manually and electronically. Stored securely on our Learner MIS System and in your Individual Learner File.<br>Used for Barrett-Bell Ltd & External Requirements. |
| 2. Course Enquiry, Application and Admission | For processing, tracking, contact analysis, equal opportunities monitoring.<br>Personal details as in A.1, plus previous educational establishment.                                                                                                                                                                                                                  | Same as Personal Details in A.1.                                                                                                                                                    |
| 3. Course Registration                       | For Award.<br>Qualification aim, join and end dates, timetable, academic years, registered modules, Registers, Award/s achieved.                                                                                                                                                                                                                                     | Same as Personal Details in A.1. Plus Exam Board and results lists.                                                                                                                 |
| 4. Academic Marks, Results and Progress      | For Assessments and Exam Board Results, where applicable published results lists.<br>Annual progress, Exam Board outcomes, credits achieved.                                                                                                                                                                                                                         | Same as Course Registration in A.3.                                                                                                                                                 |
| 5. Certificate Printing                      | For Issue to successful Learners.<br>Name of Learner and Award gained, issue/collection of certificate.                                                                                                                                                                                                                                                              | Same as Personal Details in A.1.                                                                                                                                                    |
| 6. Official Letters                          | As requested by Learner.<br>Name, address, ID number, Academic Year status.<br>Additional information requested by Learner. Request Form.                                                                                                                                                                                                                            | Letters are processed manually and electronically. Stored securely on our Learner MIS System and in your Individual Learner File.<br>Used for Barrett-Bell Ltd and Learner          |

|                                    |                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                   |
|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. Interviews and Reports          | For further action/record as requested/applicable.<br>Personal details as in A.1, plus course details, advice and guidance needed and given, dates of appointments, interviews, meetings, actions taken, reports, communications, employment records, external reports and records. | Same as Personal Details in A.1.                                                                                                                                                                                  |
| 8. Off-site Activities             | For academic records, insurance, charges, attendance report.<br>Visits, field trips, assessments, work experience, risk assessments, performance reports.                                                                                                                           | Data is processed manually and electronically. Stored securely on our Learner MIS System and in your Individual Learner File.<br>Used for Barrett-Bell Ltd and External Requirements.                             |
| 9. External Registration           | For Award.<br>Name, address, date of birth, gender, funding status, ID picture, course, academic progress and achievement.                                                                                                                                                          | Data is processed electronically. Stored securely on our Learner MIS System and with relevant awarding bodies.<br>Used for Barrett-Bell Ltd and External requirements                                             |
| 10. Learner Loans                  | For eligibility processing.<br>Name, birth certificate, passport, bank/building society details, referee, date certified, repeat borrower details, withdrawal/ completion of course.                                                                                                | Data is processed manually and electronically. Stored securely on our in your Individual Learner File and on Advanced Learner Loans systems.<br>Used for Barrett-Bell Ltd and External Requirements.              |
| 11. Greater London Authority (GLA) | For eligibility processing.<br>Name, birth certificate, passport, bank/building society details, referee, date certified, repeat borrower details, withdrawal/ completion of course.                                                                                                | Data is processed manually and electronically. Stored securely on our in your Individual Learner File and on the Individual Learner Record (ILR) systems.<br>Used for Barrett-Bell Ltd and External Requirements. |
| 12. Course Fees                    | For fees for invoicing.<br>Fees for academic year, amounts paid, date invoiced.                                                                                                                                                                                                     | Same as Personal Details in A.1.                                                                                                                                                                                  |
| 13. Health & Safety                | For first-aid assistance, emergency evacuation, hazard risk assessment, accident monitoring.                                                                                                                                                                                        | Same as Personal Details in A.1. Plus also stored on relevant incident records and reports.                                                                                                                       |

|                                            |                                                                                                                                                                                                                                     |                                                                 |
|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
|                                            | Personal details as in A.1, plus medical records, accident/hazard reports, consent records, first-aid action, where applicable.                                                                                                     |                                                                 |
| 14. Information to 3 <sup>rd</sup> Parties | For compliance with statutory, data protection and other regulations applicable to Barrett-Bell Ltd. Personal details as in A.1 Course details as in A.3., correspondence and notes of requests, reports, and information supplied. | Same as Personal Details in A.1.                                |
| 15. Surveys and Questionnaires             | For monitoring and evaluation of provision, research and analysis.<br>If not anonymous – Personal details as in A.1., Course details as in A.3. opinions, comments, usage of service.                                               | Same as Personal Details in A.1.                                |
| 16. Individual Learner Record              | For Learner statistics and funding.<br>Personal, course and employer details as specified by the Skills Funding Council (SFA) on a monthly basis.                                                                                   | Same as Personal Details in A.1. Plus Returns Database.         |
| 17. Career Destinations                    | For processing after leaving.<br>Name, qualification, address, employment, education, other, where known, after completing course.                                                                                                  | Same as Personal Details in A.1 Including statistical analysis. |

## **B. DATA HELD ON SPECIFIC LEARNERS**

| <b>TYPE OF INFORMATION HELD</b>      | <b>DESCRIPTION</b>                                                                                                                                                    | <b>PROCESSING INFORMATION</b>                                                                                                                                                       |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Change in Learner Status          | For Academic and financial action/notification extension of registration.<br>Name, ID number, course details, information relating to change and dates, action taken. | Data is processed manually and electronically. Stored securely on our Learner MIS System and in your Individual Learner File.<br>Used for Barrett-Bell Ltd & External Requirements. |
| 2. Poor Attendance Withdrawal Record | For academic action/status.                                                                                                                                           | Same as Personal Details in B.1..                                                                                                                                                   |

|                                           |                                                                                                                                                                                                                                                                         |                                                                                                      |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
|                                           | Name, ID number, course details, information relating to change and dates, action taken.                                                                                                                                                                                |                                                                                                      |
| 3. References, Correspondence and reports | For action / records as requested and applicable.<br>Name, academic and personal record, communications (written and recorded), reports, mitigating circumstances, requests for and references given, past qualification record                                         | Same as Personal Details in B.1. Plus securely stored on recording devices.                          |
| 4. Certificate Printing                   | For issue to successful Learners.<br>Name of Learner and Award gained, issue/collection of certificate.                                                                                                                                                                 | Same as Personal Details in B.1.                                                                     |
| 5. Complaints Records                     | For application of procedure.<br>Name, ID number, course and details relevant to complaints, messages and correspondence relating to complaint.                                                                                                                         | Same as Personal Details in B.1. Plus information will be dealt with via Barrett-Bell Ltd Directors. |
| 6. Disciplinary Action Record             | For us the Procedure.<br>Name, ID number, course, nature and details of case, process, decision and action taken.                                                                                                                                                       | Same as Personal Details in B.1.                                                                     |
| 7. Academic Appeals                       | For processing under the procedure.<br>Name, ID number, course, case details, correspondence                                                                                                                                                                            | Same as Personal Details in B.1.                                                                     |
| 8. Outstanding Debts Record               | For possible action (Fines).<br>Name, ID Number, course, attendance record, fees fines and charges invoiced and payments made, correspondence, notes of interview/s, record of decisions made, action taken, referral to external debt collection agency, court action. | Same as Personal Details in B.1. Plus Debt Collection Agency Lists.                                  |