



## Data Protection Policy

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## Introduction to FutureQuals

FutureQuals is forward thinking, learner and customer-focussed, and committed to delivering inspiring learning and skills.

### Our Values

"We are a Visionary, Supportive, Innovative and Professional Awarding Organisation that is committed to excellence".

### Our Vision

"We envisage a place in which every learner realises their full potential"

### Our Mission

"To provide respected and valued qualifications and assessment to enable quality assured learning"

FutureQuals is recognised to deliver regulated qualifications by Ofqual in England, CCEA Regulation in Northern Ireland, the Scottish Qualifications Authority (SQA Accreditation) and Qualifications Wales to offer a comprehensive and diverse range of qualifications across a wide range of vocational areas many of which are transferable across industries and sectors.

A full list of FutureQuals current qualifications can be accessed at <http://www.futurequalsquals.com>

We have developed a genuine understanding and insight into all types of educational organisations, which ensures that we are highly responsive to their needs. We offer a wide range of benefits and support for our learners, our approved centres, and their assessment and quality assurance teams.

FutureQuals offers a wide range of benefits and support for all of our educational products and services including:

- Vocational qualifications accredited by the UK regulators and recognised by employers, universities and professional bodies
- 24/7 online management systems for the registration of learners, ensuring highly efficient services and access to assessment and results.
- A diverse range of qualifications
- A flexible approach to assessment
- A network of professionals who examine and quality assure our regulated qualifications and assessments
- Regular updates on new developments in education and training
- Unrivalled customer service support and extensive guidance materials

## Data Protection Policy

### Scope

The Data Protection Act 1998 ('Act') places obligations on those that control and process information relating to individuals.

Whilst this is UK-based legislation, FutureQuals requires all Centres to comply with these provisions.

This policy is provided to draw attention to the different types of personal or sensitive data which may be collected by FutureQuals and to guide you in how to approach us. It also outlines the data processing methods used by FutureQuals and how we adhere to the Act.

Data users are obliged to comply with this policy when processing personal data on our behalf. Any breach of this policy may result in disciplinary action.

This policy does not form part of any employee's contract of employment and may be amended at any time.

### Definitions

The Act controls how your personal information is used by organisations, businesses or the government. Everyone responsible for using data has to follow strict rules called 'data protection principles'.

The Information Commissioner's Office (ICO) is an executive non-departmental public body. It "upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals" (ICO website, [www.ico.org.uk](http://www.ico.org.uk)).

It is responsible for administering the provisions of the Act and the Freedom of Information Act 2000.

The Act requires every data controller processing personal information to register with the ICO (unless they are exempt). The ICO publishes a Register of data controllers on their website.

FutureQuals is classed as a Data controller under the Act. Data controllers are the people who or organisations which determine the purposes for which, and the manner in which, any personal data is processed. We are the data controller of all personal data used in our business for our own commercial processes. This policy confirms our commitment to protect your privacy and to process your personal information in accordance with the Act.

FutureQuals ICO registration reference is Z9393212.

Data is information which is stored electronically, on a computer, or in certain paper based filing systems.

Data subjects for the purpose of this policy include all living individuals about whom we hold personal data. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal information.

Data users are those of our employees whose work involves processing personal data. Data users must protect the data they handle in accordance with this policy and any applicable data security procedures at all times.

Processing is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including, erasing or destroying it. Processing also includes transferring personal data to third parties.

The ICO segments data into two categories and describes it as “personal data” and “sensitive data”.

## Personal Data

The ICO describe personal data as:

Data that relates to a living individual who can be identified –

- from that data; or
- from that data and other information which is in the possession of, or is likely to come into the possession of, the Data Controller, and includes any expression of or opinion about the individual and, any indication of the intentions of the Data Controller, or any other person in respect of the individual.

## Sensitive Data

Personal data consisting of information relating to –

- the racial or ethnic origin of the data subject;
- political opinions;
- religious beliefs or other beliefs of a similar nature;
- membership of a trade union (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992);
- physical or mental health or condition;
- sexual life;
- the commission or alleged commission by the data subject of any offence; or
- any proceedings for any offence committed or alleged to have been committed by the data subject, the disposal of such proceedings or the sentence of any court in such proceedings.

## Data Protection Principles

Anyone processing personal data must comply with the eight enforceable principles of good practice. These provide that personal data must be:

- processed fairly and lawfully;
- processed for limited purposes and in an appropriate way;
- adequate, relevant and not excessive for the purpose;
- accurate and, where necessary, kept up to date;
- not kept for longer than necessary for the purpose;
- secure; and
- not transferred to a country or territory outside of the European Economic Area (“EEA”) unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects.

## What personal information we might need and why

If we collect personal data directly from data subjects, we will inform them about:

- a) The purpose or purposes for which we intend to process that personal data.
- b) The types of third parties, if any, with which we will share or to which we will disclose that personal data.
- c) The means, if any, with which data subjects can limit our use and disclosure of their personal data.

We may collect and process the following examples of personal information, although we may, at times, also need to collect other personal information that is not listed here:

- Your name
- Your job title
- Contact information (for example address, telephone numbers, email addresses)
- Information about your age, ethnicity, gender, nationality, disability status
- Your occupation and/or place of work
- Information about your education, qualifications, skills and expertise
- Information relevant to our recruitment and human resources function
- Information that is relevant to us carrying out our duties as a regulated awarding organisation.

We may use/process this information to:

- Carry out our function as a regulated awarding organisation i.e. undertaking administration in relation to a qualification for which a learner is registered and may subsequently be awarded a certificate
- Handle complaints and conduct investigations
- Identify a living individual
- Contact learners directly in relation to FutureQuals centre and qualification approval processes and any external quality assurance activity undertaken by FutureQuals for any qualification for which that a learner is registered
- Understand people's view, and opinions
- feedback to improve our services
- Share it with third parties for the purpose of obtaining professional advice and in complying with our contractual obligations
- Send you information that we think might be of interest to you
- Comply with legal and regulatory obligations
- Upload achievement data to the Personal Learning Record for qualifications that the learner has been registered for and in accordance with FutureQuals agreement with the Skills Funding Agency
- To administer requests for reasonable adjustments and/or special considerations in line with our published policies
- Carry out statistical analysis which may be anonymised
- Monitor equal opportunities relating to ethnicity, disability or other such monitoring purposes

Any centre or third party receiving personal information that we share will be required to protect information in line with the Act and by submitting information to us, you are authorising FutureQuals to process the data.

Should contact data be included, you are consenting to FutureQuals contacting you in relation to a requested activity by email, post or telephone unless you state otherwise.

### Protecting your information

We will take appropriate technical and organisational measures to protect the unlawful and unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

These measures ensure the safety of stored data and prevents its unauthorised disclosure or use. In the event of a security breach we will implement our procedures for assessing the risk associated

with the breach. We will notify individuals affected by the breach and, as a result of the breach, may put in place additional security measures as mitigations.

To ensure that you, as an approved FutureQuals centre, comply with the legal requirements of the Act, you must ensure that data subjects are aware of what will be collected and what/how information will be shared.

### Accessing your information (Subject Access Requests)

Under the Act, an individual is entitled to ask for a copy of the personal information that we hold about them and to have any inaccuracies in their personal information corrected. Data subjects must make a formal request for information we hold about them. This must be made in writing. Employees who receive a written request should forward it to their line manager immediately.

If you wish to submit a request for your personal information, you are entitled to:

- know what personal information we are processing or have processed;
- why we have processed your personal data – the reason(s) and purpose(s) for the processing of your personal information; and
- know if we have shared your personal information and if so, with whom and for what purpose(s).

Requests for your personal information must be submitted to us in writing to:

The Data Controller  
Future (Awards and Qualifications) Ltd  
EMP House  
Telford Way  
Coalville  
Leicestershire  
LE67 3HE

### Adequate, relevant and non-excessive processing

We will only collect personal data to the extent that it is required for the specific purpose notified to the data subject.

We will ensure that personal data we hold is accurate and kept up to date. We will check the accuracy of any personal data at the point of collection and at regular intervals afterwards. We will take all reasonable steps to destroy or amend inaccurate or out of date data.

### Transferring personal data to a country outside the EEA

We may transfer any personal data we hold to a country outside the EEA, provided that one of the following conditions applies:

- a) The country to which the personal data is transferred ensures an adequate level of protection for the data subjects' rights and freedoms.
- b) The data subject has given consent.
- c) The transfer is necessary for one of the reasons set out in the Act, including the performance of a contract between us and the data subject, or to protect the vital interests of the data subject.
- d) The transfer is legally required on important public interest grounds or for the establishment, exercise or defence of legal claims.

- e) The transfer is authorised by the relevant data protection authority where we have adduced adequate safeguards with respect to the protection of the data subjects' privacy, their fundamental rights and freedoms, and the exercise of their rights.

### Sharing your personal information

We may need to share your information with third parties. This may be for a variety of reasons but this will always be to enable us to undertake our function as a regulated awarding organisation and/or to comply with our legal obligations.

When your personal information is shared it will be done so in line with the Act. You are entitled to know why and how we are sharing your personal information (as noted above) and the organisation or individual receiving your personal information will be required to protect your information in line with the Act.

### Continuous Improvement

This policy is subject to a three-year review cycle, or earlier should any feedback or concern be brought to the attention of FutureQuals, to ensure it remains fit for purpose and the process and its outcomes are deliverable.

It is also reviewed as part of FutureQuals continuous improvement monitoring through its annual self-assessment arrangements.

We reserve the right to change this policy at any time.

# FutureQuals<sup>TM</sup>

INSPIRING LEARNING AND SKILLS

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