

Data Protection Policy

Document Control

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Author	Lisa Williamson
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Occupational Awards Responsibilities

The Chief Executive is accountable for ensuring the implementation of this policy. The Operations & Quality – Senior Manager is responsible for carrying out the requirements of this policy. The Operations & Quality – Senior Manager is the OAL Data Protection Officer.

Policy

Occupational Awards Limited (OAL) is a professional awarding organisation and apprenticeship end-point assessment organisation and is registered as a data user with the Data Protection Registrar.

Learner Data

OAL collects, stores and processes personal data about learners for the purpose of administering and managing qualifications and apprenticeship end-point assessment. OAL will continue to hold data electronically after a learner has finished the qualification and/or apprenticeship for a period of 10 years. Our Lawful Basis for processing this information is legitimate interest for the purpose of administering and managing qualifications and apprenticeship end-point assessment. Paper copies will be electronically scanned before being securely destroyed within 1 month of receipt.

This data includes the following special category data:

- Ethnic origin

This information may be disclosed to the Office of Qualifications and Examination Regulations (Ofqual), Education & Skills Funding Agency (ESFA), Qualifications Wales, SQA Accreditation, and other government and educational organisations; potential employers and other relevant organisations where necessary for the fulfilment of obligations.

Learner Assessment Materials

Paper versions of Learners' examination answer books and other assessment materials, which have been submitted to and marked by Occupational Awards Limited, will be kept for a maximum period of 1 year, ideally these will be returned to the learner on completion of marking. This information can only be identified by a unique learner number. Where this data is stored electronically as part of the learners record OAL will continue to hold data electronically after a learner has finished the qualification and/or apprenticeship for a period of 10 years.

Centre/Employer information

Centre/Employer application information (e.g. signed centre, staff and qualification approval applications) are kept as electronic copies for the period that a centre is approved, they are then archived and stored for a further 3 years. Paper copies will be electronically scanned before being securely destroyed within 1 month of receipt. Our Lawful Basis for processing this information is legitimate interest for the purpose of administrating and managing qualifications and/or apprenticeship end-point assessment.

This information may be disclosed to the Office of Qualifications and Examination Regulations (Ofqual), Education & Skills Funding Agency (ESFA), Qualifications Wales, SQA Accreditation, and other government and educational organisations; and other relevant organisations where necessary for the fulfilment of obligations.

Centre personnel

OAL collects, stores and processes personal data about centre employees (e.g. assessor and internal quality assurer's curriculum vitae). This is kept as an electronic copy for the period that a centre is approved or the employee works for the approved centre, they are then archived and stored for a further 3 years. Paper copies will be electronically scanned before being securely destroyed within 1 month of receipt. The information is kept securely and will be kept no longer than necessary. Our Lawful Basis for processing this information is legitimate interest for the purpose of administrating and managing qualifications and/or apprenticeship end-point assessment.

Employees & Contractors

For employee applications (e.g. contractors, examination markers, question setters and external quality assurers) the information is used for OAL to create a computer record of the application and to enable the application to be processed. The information is kept securely and will be kept

no longer than necessary. OAL does not hold payroll or accounts information, this information is held by our parent company the National Skills Academy for Food & Drink.

Marketing & Sales Data

Personal data including names, emails, employer and telephones is held by OAL for marketing and sales purposes, this includes, for example, electronic newsletters, enquiries and event bookings.

Our Lawful Basis for processing this information is consent.

All marketing contacts are asked to positively opt-in and may withdraw their consent at any time without detriment. OAL will review consent bi-annually and will keep records of when and how we received consent.

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Data Security

OAL data is held securely electronically with access for those OAL employees needing to use the data. When data is no longer required it will be securely deleted or destroyed, as appropriate.

Confidentiality

Occupational Awards employees are fully aware of the confidential nature of much of their work and confidentiality is an element of the standard contract of employment a breach of which is considered to be gross misconduct.

During the time anyone working with Occupational Awards or with any of its agencies and stakeholders as part of their duties, may have access to confidential information that can identify a student, another member of staff and/or business in confidence information about the Company.

This type of information should not be disclosed to any person outside of the normal working environment, particularly non-employees. If there is a need to disclose/share confidential information in pursuit of working duties, permission will be granted to do this by the Responsible

Officer, and this will be done so within legal and regulatory requirements.

Withdrawal of consent

Where consent to hold someone's personal data for marketing or sales purposes is withdrawn the Marketing & Key Accounts Senior Manager is responsible for ensuring that all personal data held for that person is deleted and all OAL employees will be asked to do the same. This will be completed within 15 working days of the receipt of the request.

Accuracy of Data - Right to Rectification

OAL takes all reasonable steps to ensure accuracy of personal information held. Where this is not the case requests to update personal data must be made in writing to quality@oawards.co.uk. OAL will acknowledge receipt of the request within 5 working days and aims to confirm that the data is accurate and to rectify the data if necessary within 28 days.

Request to access personal data OAL holds

Requests must be made in writing to quality@oawards.co.uk. Learners will be given access to the OAL Learner Portal and other contacts will be given access to the OAL Portal where they can see all personal data information that OAL holds. OAL will acknowledge receipt of the request within 5 working days and aims to complete the request within 28 days.

Maintaining confidentiality of assessment materials

Where confidentiality in –

- a) the contents of assessment materials, or
- b) information about the assessment,

is required in order to ensure that a qualification which an awarding organisation makes available, or proposes to make available, reflects an accurate measure of attainment, OAL will take all reasonable steps to ensure that such confidentiality is maintained.

OAL will –

- a) take all reasonable steps to ensure that such confidentiality is maintained where it (or any person connected or previously connected to OAL) provides training or training materials in relation to such a qualification,
- b) not provide or endorse any prohibited training, and
- c) take all reasonable steps to ensure that any person connected or previously connected to it does not provide or endorse any prohibited training.

'Prohibited training' is training:

- a) provided to Teachers in relation to such a qualification,
- b) at which a number of persons are present (whether physically or remotely by means of simultaneous electronic communication),
- c) where any one of those persons holds information in relation to the content of assessment materials or information about the assessment for that qualification, and
- d) where disclosure of the information to Teachers would breach such confidentiality.

OAL will, in respect of any training it provides to Teachers in relation to such a qualification (and, in relation to any such training provided by any person connected to OAL will take all reasonable steps to) –

- a) ensure that the training is reasonably available to all Teachers preparing Learners, or persons likely to become Learners, for assessments for that qualification,
- b) advertise to Teachers the availability of the training, including in particular by publishing details of the training, and
- c) publish the content of any training materials which have been provided to Teachers in connection with the training, as soon as reasonably practicable after the training has been held.

OAL will take all reasonable steps to ensure that no person connected to it, or previously connected to it, offers to disclose information about any assessment or the content of any assessment materials where that information is (or is said or implied to be) confidential.

Where any breach of such confidentiality (including through the loss or theft of confidential assessment materials) is either suspected by OAL or alleged by any other person and where there are reasonable grounds for that suspicion or allegation, OAL will:

- (a) investigate that breach,
- (b) ensure that such an investigation is carried out rigorously, effectively, and by persons of appropriate competence who have no personal interest in its outcome, and
- (c) so far as possible, establish whether or not a breach of such confidentiality has occurred.