

	Learner Data Protection Privacy Notice	QF 790	Issue No. 01
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Learner Data Protection Privacy Notice



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1	07/07/2020	Vicky Nolan	Initial Release

Introduction

Barrow Consultancy & Training Ltd. (hereafter Barrow Training) must process the personal data of its learners (you) in order to carry out its functions and manage its operations. The processing of this data is carried out in accordance with the General Data Protection Regulation (GDPR)/Data Protection Acts 1988-2018 and with Barrow Training's Data Protection Policy.

Barrow Training is a registered Data Controller, and is the Data Controller for personal data we process about you. The purpose of this Data Protection Privacy Notice is to explain how Barrow Training uses personal data we collect and hold about prospective, current and previous learners of Barrow Training. This notice should be read in conjunction with Barrow Training's Data Protection Policy and Compliance Regulations (available at <https://www.barrowtraining.ie/about/data-protection>).

This notice extends to all your personal data as defined under Article 2(1) of the General Data Protection Regulation (EU) 2016/679.

Why do Barrow Training hold your data?

1. Barrow Training must process your personal data in order to provide educational services through its teaching, research and associated academic and administrative activities, for example, recruitment of learners, provision of programmes of study, examinations, engaging with accrediting bodies and Government agencies such as Quality and Qualifications Ireland (QQI), Pre-Hospital Emergency Care Council (PHECC) and the Department of Education & Skills.
2. Barrow Training will process your personal data in order to promote programmes of study and in these circumstances your explicit consent will be sought to enable such processing.

Learners' Personal Data held by Barrow Training

Learner data is mainly obtained from the details you provide directly through the application/enrolment/registration process, or which your manager/supervisor provides, as well as your academic information, e.g. results, certification.

This is held by Barrow Training on its records systems including encrypted and password-protected Excel spreadsheets and the Veri Learner Management System. Learners engaged in Blended Learning will also have their name and email address stored on the Training for Success Learner Management System.

Categories of personal data collected/recorded include:

- Name
- Postal and email addresses
- Phone number
- Date of birth
- Gender
- PPS Number
- Next of kin/emergency contact details
- Financial information (including details of funding and fees paid and outstanding)
- Image (for online platform) and proof of identification where necessary

- Garda vetting record
- Engagement with Barrow Training's virtual learning environment activity
- Information about examinations, assessments and results, repeat examinations and learner progression
- Certificates awarded
- Details of disabilities (optional) and/or medical records (may be necessary in application for reasonable accommodation)
- Disciplinary, grievance procedures data
- IP address, and the type of device you are using when visiting the Barrow Training website on a mobile device

Lawful Basis for Barrow Training Processing Personal Data

Data Protection law requires that Barrow Training must have a valid lawful basis in order to process personal data. Barrow Training relies on a number of such bases as follows:

1. *The provision of a contract* – much of the personal information Barrow Training processes is necessary to meet its commitments to you, for example, processing your data in relation to teaching, assessment and associated administration. The following sets out the main purposes of which we process your personal data in the provision of a contract:
 - Dealing with enquiries
 - Recruitment and admission of learners
 - Provision of teaching and associated academic services including examinations, progression and related administration
 - Facilitating accreditation with professional and industrial bodies
 - Managing and administering learners' educational contracts
 - Recording and managing learner conduct (including disciplinary procedures)
 - Maintaining learner records
 - Management and administration of learner finance (including fees and funding)
 - Graduation – type and status of graduate awards are publicly acknowledged at Barrow Training conferring ceremonies and are published in Barrow Training's conferring booklet; Graduation ceremonies are regarded as public events and may be recorded and/or live streamed by Barrow Training.
 - Delivering plagiarism checking and academic validation services
 - Providing services necessary for the learner experience (including IT and communication services)
 - Providing support and maintenance services (including IT)
 - Safeguarding and promoting welfare of learners
 - Dealing with grievances and disciplinary actions
 - Dealing with complaints and enquiries
 - Providing careers and placement advice and services
 - Service improvement via feedback and surveys
 - Internal reporting and record keeping
 - Responding to data access requests you make
 - Inclusion in Barrow Training's Outlook directory
 - Providing learner support services including:
 - Disability and learning support services
 - Careers and employment advice and services
 - Health and wellbeing services

- Barrow Training email distribution lists: as a registered learner you will automatically be added to a number of email distribution lists to enable Barrow Training to manage its operations and provide the full range of services to you. An opt-out option is not permitted for these operations and core services.
2. *The fulfilment of a legal obligation* – Barrow Training must process your personal data when required to do so under Irish/EU law, for instance:
 - Sharing information with statutory bodies
 - Monitoring equal opportunities
 - Providing safety and operational information
 - Performing audits
 - Preventing and detecting crime
 - Administration of insurance and legal claims
 - Garda vetting
 3. *To protect the vital interest of you or another person* – under extreme circumstances Barrow Training would share your personal data with third parties to protect your interests or those of another person, for example:
 - Providing medical or emergency contact information to emergency services personnel
 - Contacting you or your next of kin, in case of an emergency
 4. *Consent* – under certain circumstances, Barrow Training will only process your personal data with your explicit consent. Explicit consent requires you to make a positive, affirmative action and be fully informed about the matter to which you are consenting, for example:
 - Providing information on Barrow Training courses and other programmes of study that may be of interest and benefit to learners, applicants and other interested parties
 - Promoting Barrow Training’s services (e.g. career guidance, consultancy)
 - Marketing, including images, online, in print and on social media; publications, invitations and other communications
 - References: Academic staff may agree to provide a reference for you if you apply for a job or further study. You should ensure that the requesting organisation is in a position to provide the academic staff member with a copy of your signed consent to the issuing of your reference to them
 - Participating in third party surveys

Protecting Your Personal Data

Your personal data may be shared between members of staff within Barrow Training in order for Barrow Training to fulfil its functions and objects.

In addition to the foregoing principle, Barrow Training will employ reasonable and appropriate administrative, technical, personnel, procedural and physical measures to safeguard your information against loss, theft and unauthorised users’ access, uses or modifications.

The following principles apply:

- *Confidentiality* – only people who are authorised to use the data will be authorised to access it. Staff are required to maintain the confidentiality of any of your data to which they have access.
- *Integrity* – Barrow Training will make all reasonable efforts to ensure that your personal data is maintained accurately and remains suitable for the purpose for which it is processed.
- *Availability* – that authorised users should be able to access the data if they need it for authorised purposes.
- *Security* – We are committed to ensuring that your personal data is secure with us and with the data processors who act on our behalf. We are continuously taking technical and organisational steps to better protect your information. Data Protection training has been made available to all staff.

Sharing Your Personal Data with Third Parties

Barrow Training may disclose certain personal data to third parties. These external organisations, and the purpose for sharing the information, are set out below. This list will be updated periodically as required.

Barrow Training will only share your personal data with external third parties where we are required to do so under a statutory or legal obligation, or we are required to do so under a contractual obligation or we have your consent, or we are otherwise permitted to do so in accordance with data protection legislation.

The disclosure of your data to third parties includes:

- Accrediting Bodies – Quality and Qualifications Ireland (QQI) and Pre-Hospital Emergency Care Council (PHECC) – Sharing data relating to qualification recognition, quality assurance, and qualification details referenced to the National Framework of Qualifications
- External Software As A Service (SAAS) providers. Barrow Training has entered into commercial agreements with external software service providers to support and enhance teaching, learning and assessment and research mission of Barrow Training. These services include Learning Management Systems (Veri and Training for Success), online discussion forums, lecture and tutorial recording, research publications, authenticity checking, and feedback and assessment. This sharing is governed by a Data Sharing Agreement between the organisation and Barrow Training.
- Acuity Scheduling – When a learner books a course through our website, the information collected, i.e. learner contact details, is shared with Acuity Scheduling, the provider of our online booking service. A Data Sharing Agreement exists between the Acuity Scheduling and Barrow Training.
- Department of Employment Affairs and Social Protection: Information may include details of your progression/completion to ensure continuance of funding
- Stripe – credit/debit card payment provider. Barrow Training will accept credit/debit card payment by phone. This information is processed during the phone call and is not stored by Barrow Training. Therefore, if payment processing is unsuccessful, you will be required to provide the information again.
- FCR Media (website providers) – By simply visiting our website, you do not disclose, nor do we collect, personal data about you. The information collected about your visit is limited to technical data such as:

- the Internet address (or IP address) of the device you used to access this website
- whether you reached the site using a search engine or if you clicked a link on another website
- the type of web-browser you used
- the type of device you used to access the Internet

We use this data for administrative and statistical purposes as well as to help us improve our website. This technical data does not provide us with the personal data of visitors to our website.

- Web Browsers via Cookies – A cookie is a small piece of data or text file sent by a website to the browser on your computer or mobile device when you are visiting a website. To measure performance, our website uses cookies on certain sections to gather data for statistical purposes only. You can modify your browser to accept or decline these cookies at any given time. Please note if some cookies are blocked, you may not be able to reach certain pages of our website.
- Revenue Commissioners
- Regulatory Authorities – e.g. Office of the Ombudsman, Office of Data Protection Commissioner, Office of the Information Commissioner
- Legal advisors, Courts
- An Garda Síochána – prevention/detection of crime, apprehension and prosecution of offenders, protection of an individual’s vital interests/welfare or safeguarding national security
- Garda Vetting Bureau – details of learners who have applied for courses that require Garda vetting
- Insurance companies for the purpose of providing insurance cover or in the event of an insurance related claim
- External Authenticators – Assessment scripts for external review, quality assurance
- Employers, voluntary and charitable organisations – To facilitate cooperative and volunteering placements of learners
- Financial sponsors – if a learner’s fees are paid by an external organisation (e.g. your employer, Community Employment Scheme), Barrow Training may share personal data relating to your attendance and academic progress
- Prospective employers for confirmation of qualification and provision of references with your consent
- Press and the media – with your consent we may share information about you for publicity and marketing purposes online, in print and on social media
- Data may be shared with reputable “data processors” for the purposes of sending communications (e.g. Mailchimp)

Transfer of Personal Data to other Countries

Your personal data will not be shared with third parties outside of the European Economic Area (EEA).

Retention of Data after you Complete your Training

Barrow Training retains all personal data in accordance with its Records Management and Retention Policy (QF 791). Barrow Training will need to maintain some records relating to you after you complete in order to provide services to you as a previous learner of Barrow Training. This includes:

- verifying your award
- providing transcripts of your marks
- opportunities for further study
- academic references
- careers support

Data that is not required to fulfil the services Barrow Training will provide to you after you complete your training will be securely deleted in accordance with Barrow Training's Records Management & Retention Policy (QF 791).

Your Rights

Your rights relating to your personal data include:

- to be informed (via this privacy notice and other communications)
- to request access to Personal Data held by Barrow Training, and to have any incorrect Personal Data rectified
- where appropriate, to the restriction of processing concerning you or to object to processing
- to have Personal Data erased, where appropriate
- to data portability regarding certain automated Personal Data
- with regard to rights within the legislation relating to "automated decision-making", Barrow Training does not use such processes and they do not arise
- to restrict the use of the data we hold and the right to object to Barrow Training using your data – please contact the Data Protection Officer if you believe your personal data is being used unlawfully or you have reason particular to your personal situation why we should not be processing it.

Requests for any of the above should be addressed by email to info@barrowtraining.ie or in writing setting out your specific request to Barrow Training's Data Protection Officer, Barrow Training, High Street, Bagenalstown, Co. Carlow, R21 TH22. Your request will be processed within 30 days of receipt. Please note, however, it may not be possible to facilitate all requests, for example, where Barrow Training is required by law to collect and process certain personal data including that personal information that is required of any learner of Barrow Training.

Additionally, you can update your personal data by contacting the Training Manager at admin@barrowtraining.ie.

Your Responsibilities

1. *Updating your details:* The GDPR requires that personal data is accurate. Please let Barrow Training know if your contact details change. If we do not have the correct contact details, we cannot take responsibility if we are unable to provide you with any information you require, for example, missing an exam or deadline resulting in serious consequences.
2. *Processing Personal Data:* You must comply with Barrow Training's Data Protection Policy and the GDPR if, as a learner, you have access to the personal data of others; or if you wish to collect or process any personal data as part of your studies or research.

You must ensure that you notify and seek approval from your tutor before any processing occurs. If you are processing personal data other than as part of your studies, you should contact the Office of the Data Protection Commissioner (Supervisory Authority) as you will not be covered under Barrow Training's registration. You can contact that Office at info@dataprotection.ie or by writing to the Data Protection Commission, 21 Fitzwilliam Square South, Dublin 2, D02 RD28.

Queries, Contacts, Right of Complaint

Further information on Data Protection at Barrow Training may be viewed at <https://www.barrowtraining.ie/about/data-protection>. You can contact Barrow Training's Data Protection Officer at info@barrowtraining.ie or by writing to Data Protection Officer, Barrow Training, High Street, Bagenalstown, Co. Carlow, R21 TH22.

You have a right to lodge a complaint with the Office of the Data Protection Commissioner (Supervisory Authority). While we recommend that you raise any concerns or queries with us first, you may contact that Office at info@dataprotection.ie or by writing to the Data Protection Commission, 21 Fitzwilliam Square South, Dublin 2, D02 RD28.

Review

This Privacy Notice will be reviewed and updated from time to time to take into account changes in the law and the experience gained from the Notice in practice.