

# Privacy notice for Pendine Academy customers

PENDINE ACADEMY IS COMMITTED TO PROTECTING THE PRIVACY AND SECURITY OF YOUR PERSONAL INFORMATION. THIS PRIVACY NOTICE DESCRIBES HOW WE COLLECT AND USE YOUR PERSONAL INFORMATION, IN ACCORDANCE WITH THE GENERAL DATA PROTECTION REGULATION (GDPR).

In this notice, whenever you see the words 'we', 'us', 'our' and 'Pendine Academy', it refers to Pendine Academy of Social Care Ltd (ICO registration number A8308419), which also trades under the brand name Smartcare Training, a subsidiary company of Pendine Park Care Organisation Ltd (ICO registration number is Z2840886). Whenever you see the words 'you' and 'your', it refers to a customer - anyone who has attended or undertaken a course or non-funded qualification with us or the individual of a company who has booked our training services.

This Privacy Notice is also available on our website, at [www.smartcaretraining.com/privacy.html](http://www.smartcaretraining.com/privacy.html)

## 1. Our Responsibilities and Data Protection Principles

The Pendine Academy is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you in relation to any course or qualification you have booked or completed with us. Data protection legislation requires us to let you know about this information, so it is important you read this privacy notice so that you are aware of how and why we are using this information.

We will comply with data protection law. This says that the personal information we hold and process about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

## 2. The kind of information we hold on you...

Personal data, or personal information, means any information about an individual that can identify that individual. It does not include data where the identity has been removed (anonymous data). There are “special categories” of more sensitive personal data which require a higher level of protection.

Pendine Academy will collect, store, and use the following categories of personal information:

| CATEGORY                | DATA TYPES                                                                                                      |
|-------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>Personal Details</b> | Name, title, date of birth and gender and if you require any support/assistance from us                         |
| <b>Employer Details</b> | Name of Organisation/company you work for, its address and contact details and manager name and contact details |
| <b>Course Details</b>   | Course title(s) and trainer(s) of courses you have undertaken/ booked with us                                   |

We will also collect, store, and use the following additional categories of personal information for Awarding Body Qualifications (i.e. where an Awarding Body provides the certificate):

| CATEGORY                                                            | DATA TYPES                                                                                                                                                                                                                      |
|---------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Qualification Details (diploma and framework qualifications)</b> | Qualification titles/units, Awarding Body registration numbers, name of your Pendine Academy Assessor, IQA review information, dates of registration and certification, qualification certificate copies, qualification results |

We also collect, store and use the following “special categories” of sensitive personal:

| CATEGORY                          | DATA TYPES                                                                                                                                |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Health/medical information</b> | Back, neck or shoulder injuries/treatment details, ante and postnatal status - FOR MOVING AND HANDLING/ PHYSICALLY DEMANDING COURSES ONLY |

## 3. How we collect and use your personal information

We collect this personal information directly from you through the booking, sign up and course enrolment processes. We also collect personal information throughout the time you are completing your qualification with us.

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information, as listed above in point 2, in the following circumstances:

1. To enable us to support you to complete your course/qualification
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

The situations in which we will process your personal information are listed below:

- Complying with our legal obligations as a training provider and our obligations with our Awarding Bodies
- Supporting you to complete your course and gain your certificate and qualification
- Providing you with a course certificate
- Contacting you to organise meetings and your qualification work
- Carrying out Assessor/IQA review meetings and tests
- Registering your qualifications with the Awarding Bodies and applying for your qualification certificates
- Equal opportunities monitoring for Awarding Body qualifications
- To identify the correct person and then booking them onto courses and qualifications
- Providing you and your employer with statistical information regarding training you have undertaken with us
- To process payments / refunds / statements for the courses we have provided
- To provide you or your company with information regarding courses we are providing
- To conduct data analytics studies to review and better understand how we provide our services
- Marketing and advertising our business through use of videos, photographs and testimonials (see below)
- Business management and planning, including accounting and auditing

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

### **Videos, photographs and testimonials**

We use videos and photographs from events and written testimonials about our services on our website and within our marketing materials. If you are part of a crowd or group of people in a photograph or video that we publish, and cannot be identified easily, we do not require your consent. However, if you are present when such photographs or video footage are being taken, and you do not wish to be part of the footage, please tell the photographer or the staff member organising the footage, so they can act accordingly.

If we wish to identify you (such as use a caption with the photograph or video), or the photograph or video just contains you or is of a small group of people including you, we will explain why we are using your image, what it is being used for and who might look at the image and ask for your consent beforehand (if you do not wish to consent then we will not include you in the photograph/video). If we use an agency to take the photographs or video footage, we will ensure the agency obtains the correct permission.

If you provide us with a written testimonial about our services that we wish to publish publicly and include your name with the testimonial, we will inform you of why we are using it, what it is being used for and who might look at it and we will ask for your consent to use the testimonial.

### **Informing you of courses and services we provide**

As our customer, we may from time to time, send communications about courses and services that we think are relevant to you or your company. We will inform you of why you are receiving such communications and will provide you with the option to stop receiving any further such communications.

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### **4. If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

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### **5. Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason which is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will explain the legal basis which allows us to do so. We may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

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### **6. How we will use particularly sensitive personal information**

We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations or exercise rights in relation to you undertaking a course with us and in line with our data protection policy.

We may also use your personal information where we need to protect your interests (or someone else's interests) or where it is needed in the public interest, although these circumstances are likely to be rare.

We will use your particularly sensitive personal information by collecting information relating to any back / shoulder injury/treatment status and ante/postnatal status to ensure your health and safety undertaking the moving and handling/physically demanding courses and assess your fitness to carry out this work.

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## **7. Automated decision-making**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We do not make any decisions will be taken about you using automated means.

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## **8. Data sharing**

We may have to share your data with third parties, including third-party service providers. We require third parties to respect the security of your data and to treat it in accordance with the law. We may transfer your personal information outside the EU (although we do not envisage we will do so). If we do, you can expect a similar degree of protection in respect of your personal information.

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. For example, we share your information with the relevant Awarding Bodies for such qualifications and your employer.

We need to share your personal information with a regulator or to otherwise comply with the law, such as with ESTYN. We may also share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business.

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions. Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

## 9. Data security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator (i.e. the ICO) of a suspected breach where we are legally required to do so.

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## 10. Data retention – how long we will use your information

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

As a customer of Pendine Academy, we retain your personal information to provide you with the services you require from us. This includes retaining your information after we have provided you with a service, as you may wish to book further services from us in the future. However, if you have not taken up services with the Pendine Academy for six years, we will securely destroy your personal information in accordance with applicable laws and regulations.

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## 11. Rights of access, correction, erasure, restriction and withdrawal of consent

### Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

### Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and check that we are lawfully processing it.
- **Request correction and erasure** of the personal information that we hold about you.
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which

makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

- **Request the restriction of processing** of your personal information.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Manager at the Pendine Academy in writing.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### Your right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

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If you have any questions about this Privacy Notice, please contact the Pendine Academy at  
**Bromfield House, Ellice Way, Wrexham LL13 7YW**  
**or telephone: 01978 315207**  
**or email: [info@smartcaretraining.com](mailto:info@smartcaretraining.com)**