

### Document Control Sheet

Document Name	Data Privacy Notice
Document Number	PL050v1-0
Purpose	To provide details on how AssistKD protects the privacy and confidentiality of customer information.
Scope	All departments within Assist KD
Version Number	1-0
Status	Approved
Document Owner	Quality & Compliance
Date Last Reviewed	March 2024
Data Classification	Public

#### Stakeholders

All staff	
-----------	--

#### Changes Made

Version Number	Changes Made	Approved By
1-0	Document reviewed and updated.	Debra Paul

1	Policy Statement.....	3
2	The AssistKD Commitment.....	3
3	Governance.....	3
4	Data and Information Protection.....	3
5	Data Breaches.....	4
6	Data Retention.....	4
7	AssistKD collection of personal data.....	4
8	Categories of personal data collected by AssistKD.....	4
9	Payments processing by AssistKD.....	5
10	Legal justifications for processing personal data.....	5
11	AssistKD services requiring personal data.....	6
12	Sharing Personal Data.....	6
13	Transferring data outside the UK.....	7
14	Customer rights.....	7
15	Security of personal data.....	8
16	Cookies.....	9
17	Other Websites.....	9
18	Data Subject Access Requests (“DSARs”).....	9
19	Changes to personal data.....	9
20	Contacts.....	9
21	Monitoring Compliance.....	10

## 1 Policy Statement

This Privacy Notice exists so that AssistKD customers feel confident about the privacy and security of their personal information when they register with AssistKD or use AssistKD services. AssistKD may act as a Data Controller or a Data Processor depending on the nature of services that are being provided.

AssistKD complies with the UK General Data Protection Regulation (“GDPR”) and the UK Data Protection Act 2018 (together the “Data Protection Legislation”). This privacy notice describes how AssistKD commits to the protection of personal data received while providing the company’s services.

AssistKD may make changes to this Privacy Notice at any time by posting a revised version on the company website.

## 2 The AssistKD Commitment

AssistKD processes personal data in accordance with the applicable data protection principles, obligations and in compliance with the Data Protection Legislation whether acting as the data controller or data processor. Assist KD:

- only processes personal data for the purpose it has been collected;
- takes appropriate technical and organisational measures to protect data against loss or unauthorised access;
- maintains a Record of Processing Activities (“RoPA”) in accordance with Data Protection Legislation;
- will only transfer personal data in accordance with Data Protection Legislation.

AssistKD is registered with the UK Information Commissioner’s Office (“ICO”) and the registration number is: **Z7784398**.

## 3 Governance

AssistKD’s Data Protection Lead (“DPL”) is responsible for ensuring AssistKD is compliant with the Data Protection Legislation.

## 4 Data and Information Protection

AssistKD is committed to providing a safe and secure environment for the personal data held within the company. AssistKD regards this information as valuable and fundamentally important to the company’s business operations. AssistKD works hard to identify risks to the information assets held and to guard against unauthorised access, loss, or misuse. The company has established various security procedures (such as firewalls, browser certification technology, limited access, use of passwords as appropriate) to protect each customer’s personal information. AssistKD holds the

National Cyber Security Centre (NCSC) Cyber Essentials and Cyber Essentials Plus certificates, reflecting the protections in place within AssistKD to safeguard both the company and its customers against the most usual cyber-attacks. The Cyber Essentials Plus certificate can be viewed [here](#).

## **5 Data Breaches**

All data breaches are logged, investigated, and assessed to understand the impact and identify any required remedial action. Individual customer requirements are agreed contractually with each customer.

## **6 Data Retention**

AssistKD retains personal data to provide the company's services, stay in contact with the customer and to comply with applicable laws, regulations, and professional obligations to which the company is subject. AssistKD retains such personal data for seven years, unless a different time frame applies because of business need or specific legal, regulatory, or contractual requirements.

As part of the service provided to customers, AssistKD maintains a record of each individual course delegate's name, course taken, dates of attendance, and qualification obtained. This enables AssistKD to confirm this information in response to data subject access requests (DSARs).

## **7 Collection of Personal Data**

AssistKD only collects personal data that is necessary to provide services to customers, for crisis management activities, such as the Covid-19 pandemic, or to secure funding or satisfy statutory, legal or government requirements. For example, to fulfil an ESFA request to provide apprenticeship data to a government or regulatory organisation.

Personal data is obtained in a variety of ways:

- through forms, which may be online or paper, for example when customers register for information, make a purchase, or commence a course of study.
- when a user account is created on the AssistKD website.
- when customers communicate with AssistKD by email, postal mail or telephone.

## **8 Categories of Personal Data Collected by AssistKD**

The following categories of personal data about individuals may be obtained by AssistKD when in pursuit of the company's business activities:

- contact details (e.g., name, company name, job title, work and mobile telephone numbers, work and personal email and postal address);
- personal details (e.g., gender, date of birth, passport details, image, and answer to a security question);
- professional details (e.g., job and career history, educational background and professional memberships, published articles);
- financial information (e.g. transaction and payment card information, credit checks);
- customer feedback (e.g. on services provided);
- health data relating to the physical or mental health of an individual. This information is collected for the purpose of assessing requests for reasonable adjustments in examinations and courses as required under the Equality Act and enabling AssistKD to make such adjustments. This information is considered special category data and is handled in accordance with Article 9 of the UK GDPR.

AssistKD confirms that the processing of Special Category Data is permitted under data protection laws, by ensuring explicit consent is given freely, the processing is necessary to protect the data subject's (or another individual's) vital interests where they are physically or legally incapable of giving consent, or the processing is necessary to establish or exercise or defend legal claims.

## 9 Payments Processing by AssistKD

AssistKD uses the third party [Stripe](#) to process payments. Stripe is PCI DSS certified along with other security standards; these may be viewed [here](#).

Stripe's privacy policy is available [here](#). This policy describes how a customer's personal information and payment data is handled by Stripe.

## 10 Legal Justifications for Processing Personal Data

AssistKD collects and uses personal data in line with the following legal justifications.

- Contractual – to perform their contractual obligations owed to (or to enter into a contract with) the relevant individuals.
- Consent - the customer has given consent when providing personal data to AssistKD.
- Legitimate interests – there are legitimate interests based on the evaluation that the processing is fair, reasonable and balanced. These include:
  - *Delivering services to customers*. To deliver the professional services for which AssistKD has been engaged by customers, including providing information on new products and services.

- *Direct marketing.* To conduct and analyse the company's marketing activities and deliver timely market insights and knowledge.
- *Monitor IT systems.* To prevent fraud or criminal activity and protect the company's IT systems.
- *Corporate responsibility.* To comply with corporate and corporate social responsibility commitments.
- Legal obligations – AssistKD may process personal data in order to meet any legal and regulatory obligations or mandates.
- Public Interest – AssistKD may process personal data in order to perform a specific task in the public interest or in the exercise of official authority vested in AssistKD.
- Vital Interests – AssistKD may process personal data to protect the vital interests of the individual or another natural person.

## 11 AssistKD Services Requiring Personal Data

AssistKD services require the use of customers' personal data. These services include:

- Providing professional advice and delivering other professional services.
- Promoting the company's professional services, products, and capabilities to existing and prospective business customers.
- Sending invitations and providing access to guests attending company events and webinars or sponsored events.
- Administering, maintaining, and ensuring the security of the company's information systems, applications and websites.
- Seeking qualified candidates and forwarding candidate career enquiries to the AssistKD HR function, which may be governed by different privacy terms and policies.
- Processing online requests, including responding to communications from individuals or requests for proposals and quotations.
- Complying with legal and regulatory obligations relating to anti-money laundering, terrorist financing, fraud, and other forms of financial crime.
- Compiling health and safety data (directly or indirectly) following an incident or accident. Indirect data can take many forms including an incident report, first aider report, witness statements and CCTV footage.
- Collecting health data for customers who need reasonable adjustments during a training course or examination.

## 12 Sharing Personal Data

AssistKD uses third parties to provide some services. The third parties may need to process an AssistKD customer's personal information when delivering these services. AssistKD employees, and those working for their partners or contractors, have a

contractual responsibility to keep the customer's information confidential and are only allowed to use it for the purpose of providing services.

If a customer has a disability and requires reasonable adjustments, such as extra time in an assessment, the customer's information is passed to the relevant AssistKD examination partner for the sole purpose of ensuring the required reasonable adjustment is provided.

AssistKD may send information to customers about the company's services on occasion. This is only done where the information may be of interest to a customer and AssistKD has been given the customer's permission to provide this information.

AssistKD does not:

- transfer the personal information provided by a customer to a third-party organisation for direct marketing use by that party;
- sell personal information.

### **13 Transferring Data Outside the UK**

Personal data held by AssistKD is stored on servers located in the UK and EEA. AssistKD may transfer personal data to third party organisations situated inside or outside the UK and EEA when there is a business justification to do so. AssistKD requires each third-party organisation to safeguard this personal data in accordance with their contractual obligations and data protection legislation.

### **14 Customer Rights**

AssistKD customers have the following rights regarding their personal data.

- Access A customer can ask AssistKD to verify whether the company is processing their personal data, and if so, to provide details of the information held.
- Correction A customer can ask AssistKD to correct the company records if the customer believes they contain incorrect or incomplete information about the customer.
- Erasure A customer can ask AssistKD to erase (delete) their personal data once they have withdrawn their consent to enable AssistKD to process the data or when AssistKD no longer need it for the purpose it was originally collected.
- Processing Restrictions A customer can ask AssistKD to temporarily restrict processing the customer's personal data if the customer contests the accuracy of that data, prefers to restrict its use rather than request its deletion by AssistKD, or need AssistKD to preserve the data to enable the customer to establish, exercise, or defend a legal claim. A temporary restriction may apply while a

customer verifies whether AssistKD have legitimate grounds to process the customer's data.

- Data Portability Where a customer has provided personal data to AssistKD, the customer can ask AssistKD to transmit that personal data (in a structured, commonly used, and machine-readable format) directly to another company.
- Automated Individual Decision-Making A customer can ask AssistKD to review any decisions made about the customer by AssistKD that have been based solely on automated processing, including profiling, and which have resulted in legal effects concerning the customer or has similarly significantly affected the customer.
- Right to Object to Direct Marketing including Profiling A customer can object to AssistKD's use of their personal data for direct marketing purposes, including profiling. However, AssistKD may need to retain some information to comply with the customer's request to cease marketing to the customer.
- Right to Withdraw Consent A customer can withdraw the consent previously given to AssistKD to process the customer's personal data for one or more specified purposes. This does not affect the lawfulness of any processing carried out before the customer withdraws their consent. It may mean AssistKD are not able to provide certain products or services to the customer and AssistKD will advise the customer where this is the case.

## 15 Security of Personal Data

AssistKD has established appropriate technical and organisational security policies and procedures to protect personal data (including sensitive personal data) from loss, misuse, alteration, or destruction. AssistKD aims to ensure that access to a customer's personal data is limited only to those who need such access. All individuals given access to the data are required to maintain the confidentiality of such information. AssistKD may apply pseudonymisation, de-identification and anonymisation techniques to further protect personal data.

Where a customer has access to areas of the AssistKD website or to AssistKD services where secure identification is required, the customer is responsible for maintaining the confidentiality of their user ID and password. The transmission of data via the Internet cannot be guaranteed to be completely secure. While AssistKD strives to protect the security of customer personal data, the company cannot ensure or guarantee this where data is transmitted from a customer, so this is at the customer's own risk.



## 16 Cookies

AssistKD use cookies and similar, related technology to collect information about customers' use of the AssistKD website. The AssistKD [Cookies Policy](#) provides further information about the company's use of cookies and related technology.

## 17 Other Websites

The AssistKD website contains links to other sites, including sites maintained by companies that are not governed by this Privacy Notice. Please review the destination websites' privacy notices before submitting personal data on those sites. AssistKD aims to link to websites with high standards and respect for privacy but is not responsible for the content, security, or privacy practices employed by these websites.

## 18 Data Subject Access Requests ("DSARs")

Customers who wish to exercise their Data Subject Rights should email [data.protection@assistkd.com](mailto:data.protection@assistkd.com). AssistKD may need to request specific information to confirm the customer's identity and ensure the customer's right to access their information or exercise any other customer rights. This helps AssistKD to ensure that personal data is not disclosed to any person who has no right of access to that data. No fee is required to make a request unless a customer's request is clearly unfounded or excessive. Depending on the circumstances, AssistKD may be unable to comply with the customer's request where there are legal restrictions in place.

## 19 Changes to personal data

AssistKD require that information held about customers must be accurate and up to date if the AssistKD services are to be delivered efficiently and correctly. Accordingly, customers are required to advise AssistKD of any changes to their personal information.

## 20 Contacts

Customers who have questions or comments about this Privacy Notice or how AssistKD handles personal data should contact the Data Protection Lead by emailing [data.protection@assistkd.com](mailto:data.protection@assistkd.com). Customers who are not satisfied with the response received should contact the UK Information Commissioner's Office at [Make a Complaint](#).

The ICO's other contact details are:

Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Helpline: 0303 123 1113

Website: <https://www.ico.org.uk>

## **21 Monitoring Compliance**

The Data Protection Lead monitors and measures AssistKD's compliance with the Data Protection Legislation. AssistKD aims to identify any areas that need improvement and address such improvements promptly. This Data Privacy Notice is reviewed every two years as a minimum. Any comments should be sent to [data.protection@assistkd.com](mailto:data.protection@assistkd.com).