

Data Protection Policy

Statement of Intent

Active Swim is committed to ensuring confidentiality and safe storage of personal or sensitive data for all individuals engaging with an activity concerning the assessment, delivery and award of Swim England Qualifications and CPD.

Definition of data

Data refers to information about an individual that may be used or processed by *Active Swim* in order to carry out activities involved within the assessment, delivery and award of qualifications. Data can be identified by two categories:

- **Personal data:** Information which relates to an individual who is identifiable from the data or from the data along with additional information, which is already in possession, or likely to come into possession. This includes information about the individual such as facts and opinions which can be held electronically or on paper.
- **Sensitive personal data:** Information about an individual relating to racial or ethnic origin, political opinions, religious beliefs, physical or mental health or condition, sexuality, the commission or alleged commission of any offence, criminal proceedings or convictions and under GDPR. Genetic and biometric information is also deemed sensitive.

General Data Protection Regulations 2018

The six principles of GDPR (General Data Protection Regulations) are similar in many ways to the eight principles of the Data Protection Act. While the six principles of GDPR do not include individuals' rights or overseas transfers.

1. Personal data will be processed fairly and lawfully.

There must be a legitimate reason for collecting and using the data and the individual must be aware that their data must be used. Under GDPR, law must justify conducting criminal record checks on employees.

2. Processed for specified, lawful and compatible purposes

Reasons for obtaining personal data must be made clear and open.

3. Adequate, relevant and not excessive

Sufficient data is held on the individual in order to do the job and no further information is held other than that required.

4. Accurate and up to date

Reasonable steps are taken to ensure the information held is accurate and up to date.

5. Not kept for longer than necessary

The purposes of why the information is kept must be considered and how long the information is kept for must be reviewed accordingly. Photo ID will be destroyed at the end of the course.

6. Processed in accordance with the rights of the individual and with appropriate security

GDPR provides certain rights to individuals such as has the right to be allowed to view certain information that is held about them, the right to prevent the processing of their personal information and the right to say no to marketing information.

There must be an awareness of how personal and sensitive personal data is protected, i.e. locked filing cabinets, use of password protection, regular changes to passwords.

Complying with the General Data Protection Regulations

Active Swim will ensure that:

- The club is registered with the Independent Commissioners Office (ICO)
- All members of staff, Internal Verifiers, Tutors, Assessors, Learners, Staff and Centre Staff whether permanent or temporary have access to this Policy and understand the six principles of GDPR
- All forms or documents which collect personal or sensitive data include a Data Protection statement.
- All records are accurate and up to date, including achievement data and are sent to Swim England for certification.
- Keep information secure – ensure that all information that is passed to you in your role is held securely whether it is paper or electronic. If it is paper copies it must be scanned and kept electronically and it needs to be password protected. The paper copies are shredded.
- Ensure information is used confidential.
- No data is used for the purpose of third-party marketing unless the individual provides written consent.
- Any e-mails which are sent to more than one individual are BCCd (blind copied)
- No personal data is disclosed, written or verbal, to anyone outside of *the organisation*. However, all records are accurate and up to date, including achievement data and are sent to Swim England and UK Coaching for certification.
- Only nominated members of staff have access to personal data and understand how to comply with the Act.
- During Swim England courses drop box is shared with learners. Dropbox is password protected and your email is used to access drop box where all course resources are held.
- For the purpose of the Personal Learning Record to obtain Unique Learning Number (ULN) only authorised users will have access to the organisation portal and will have been vetted prior to organisation.
- Achievement data is not used for any other purpose than those permitted in this policy, including for marketing or financial gain.
- On completion of the work that the information is required for, the relevant information related to learners is either securely destroyed by *Active Swim* . Methods of securely destroying documents include:
 - shredding – preferably cross-shredded
 - incineration
 - use of a commercial disposal company

Data protection statement

Active Swim has purposed a data protection example.

“Active Swim which collects and will use your personal data for the purpose of your involvement in the learning at Active Swim. I understand that by submitting my data, I am consenting to receive information about the course I have booked and relevant information such as newsletters by post, e-mail, SMS/MMS, on-line or telephone unless stated otherwise.”
Please refer to our Data protection policy for further information

Privacy notices

Under GDPR, all organisations who process learner data must ensure that the learner is informed of how their information is processed and shared. A privacy notice is a method of informing learners about how their information is collected, what it is used for and who is using the information.

A privacy notice will need to be provided to the learner at the point of application or registration

on to a Swim England qualification, along with the opportunity to opt out if they do not wish to share their data.

How we process and look after your data?

We may ask you to provide information to us or collect data from you on different occasions, including at number of points on the site, such as when you:

- e-mail enquiries
- register to receive information
- purchase services from us

What information do we collect?

Course learners and potential interested individuals

Area:	The information is utilised to:
Name	book the learner onto the courses
Address	register the course and invoicing purposes
Age	complying with registration purposes with the awarding body
Phone	call or send out text messages for urgent and important notices
Email address	communicate with our clients, this may include newsletters, invoicing, promotions and dealing with enquiries
Any medical / learning needs	to offer the appropriate support
Emergency contact details	

All paper copies are deleted/shredded at the end of the course.

Customers details for the Swimming lessons

Area:	The information is utilised to:
Adult's Name	book the carer's learner onto the training
Child's Name	book the swimmer into the class
Address	register the course and invoicing purposes
Age of child	complying with registration purposes with the awarding body
Ability of child	Ensure the child is in the most suitable level of group
Phone	call or send out text messages for urgent and important notices
Email address	communicate with our clients, this may include newsletters, invoicing, promotions and dealing with enquiries
Any medical / learning needs	to offer the appropriate support
Emergency contact details	

How do we store your data?

A central database is maintained and stored. No other third party has access to your data, and it is not shared with any other businesses, except for the Awarding Bodies mentioned in this policy. Email correspondence will be deleted on a regular basis to help us keep track of enquiries. If you require your data to be deleted sooner, please let us know.

How can you keep your data up to date?

If you need to change any of the details that we have please email us on hamid@activeswim.co.uk

What happens when my course has finished?

We will continue to send you newsletters and promotion emails unless you ask us to stop sending emails to you. Please email us on hamid@activeswim.co.uk if you do not want to receive information from us.

How can my data be removed?

If you wish to be removed from our data base, please email us on hamid@activeswim.co.uk

Sharing information

We will share your information with our affiliates and third-party service providers if necessary or reasonably required for any of the purposes above. Such third-party service providers are not entitled to use your information for their own purposes.

The database is only accessed by Active Swim Administrator, hamid@activeswim.co.uk

Teachers are given registers to enable them to register and be aware of any needs of the swimmer on swim school. The registers will contain the following information; Child's full name; age; swim level attendances; any medical/learning needs.

Tutors will have access to learner's full name, email addresses and mobile numbers and these will only be used through online data storage system. This personal data of learners is only used for course purpose for the duration of the course

Personal learning record

The Personal Learning Record is an internet-based register of learners and achievement data, designed to assist learners with their personal learning development. It allows learners to view their education and training qualifications in one place. A unique learner number (ULN) is required to access the personal learning record and is completely unique to the learner.

Active Swim is responsible for creating and providing a valid ULN for those learners who do not already possess one. *Three Rivers county concil Swimming* are responsible to notify the learners that their data will be processed for the purpose of creating a ULN and maintaining their personal learning records by the form of a privacy note.

Sharing Information with Education Skills Funding Agency (ESFA) and Example of privacy notice

The wording below will be included in all learners' application systems and registration forms so that they are notified that their achievement data will be processed.

"Some of the information you supply will be used by Education Skills Funding Agency to fulfil its statutory functions, issue/verify your Unique Learner Number (ULN) and update/check your personal learning records. The Education Skills Funding Agency may share your ULN and Personal Learning Record with other education related organisations, such as careers service, schools, college, university, Government departments and public bodies responsible for funding your education. Further details on how your information is processed and shares can be found at www.learningrecordsservice.org.uk/privacynotice"

Learners will be provided with further detail on how their data is used and shared as set out below. However, for learners who wish to fully understand the implications of sharing their data they must be directed to the Extended Privacy Notice directly from Learning Records

Service.

- Some of the information supplied will be used by the ESFA to fulfil its statutory functions, issue/verify your ULN and update/check personal learning record.
- The personal learning record will include information about the qualifications, awards, training and learning achievements which will be collected during learners' lifetime at all levels and also whilst they are working and learning.
- The personal learning records can be shared with organisations who have a responsibility for providing, funding and serving education and training.
- If learners are below the age of 16 they may wish to discuss the Privacy Notice with their parent or legal guardian.
- The ESFA is a public body which funds qualifications and training which you may be receiving. It is responsible for maintaining ULNs and personal learning records on behalf of an individual aged 13 and above in England, Wales and NI.
- The ULN is a ten-digit reference number which is unique and individual to learners for use within education. Please keep this number in a safe place.
- It is used to create and update individual personal learning record which will be conveniently located online for you to access at www.learningrecordsservice.org.uk/products/learnerrecord/
- The ESFA may obtain and use third party reference data to assess when verifying the ULN and when checking that the data it holds about the learner is correct, in order to comply with the requirements of the Data Protection Act to keep the details accurate and up to date.
- The ESFA may use the information for management and statistical purposes and for monitoring the accuracy of the information it holds about the learner.
- The ESFA may share the ULN and personal learning record information with other education related organisations such as your careers service, school, college, university, Government departments and public bodies responsible for funding education.
- Please note that learners can opt out of the ESFA sharing their personal learning record. You may not, however, opt out of the Skills Funding Agency storing your information.
- Learners can opt out of sharing participation and achievement data by contacting the LRS Customer Help Desk on 0845 602 2589. They will be required to provide some personal details to confirm your identity which may include your ULN, if known.

Protection of information

We are committed to protecting your privacy and we implement a variety of security measures in relation to our processing and transfer of personal data. However, the nature of the internet is such that the data may in some circumstances flow over networks without full security measures and could be accessible to unauthorised persons.

Your details are stored on Swim Biz and this ThinkSmart Software take all proportional steps to safeguard your data from unauthorised access. All ThinkSmart Software servers are protected by multiple, redundant firewalls and intrusion detection and prevention systems that are regularly monitored and tested. 256-bit Secure Sockets Layer (SSL) data encryption is employed to protect all data access across the internet

Links

Our site may contain links to other sites. Please be aware that we are not responsible for the privacy practices of these sites. We encourage our users to be aware when they leave our site to read the privacy statement on those sites. This Privacy Policy does not apply to information collected on third party's sites.

Your right to access information

You have the right to access the information that the *Active Swim* holds about you. In order to

do this, please make a written application to **Hamid Anwary** at the following address:

Mr H Anwary
10 Burgundy Court
31 Arla Place
Ruislip
HA4 0GD

hamid@activeswim.co.uk

You may require you to provide verification of your identity and pay an administrative statutory fee (which is currently £10.00) to provide a copy of the information that it holds. Please note that in certain circumstances the *Active Swim* may withhold access to your information where it has the right to do so under current Data Protection Legislation.

Updating your information

In the event that there is change to your personal information, for example, your contact details, please let us know as soon as possible, in writing, to the *Active Swim* in order that we can keep your information up to date and accurate.

Mr H Anwary
10 Burgundy Court
31 Arla Place
Ruislip
HA4 0GD

hamid@activeswim.co.uk

Monitoring and review of the policy

This Policy and its procedures will be reviewed annually to ensure that it remains fit for purpose and reflects the requirements as set by the Data Protection Act and how the use of data is managed. The information contained within this Policy will also be reviewed against the requirements set out by the Learning Records Service to ensure that data is processed according to the requirement of the Personal Learning Records.

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