



# Privacy Policy

Updated September 2020 (v 1.3)

## Introduction

Open Awards is committed to data security and the fair and transparent processing of personal information. Our privacy notice explains what, how and why we collect personal data. It further explains how we store data, who we share data with and your rights in relation to the personal data you provide to us.

This privacy notice applies to all the personal data we collect if you visit our website or use our services. This is in compliance with current data protection law, in particular the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) and Data Protection Act 2018.

## Who are Open Awards?

Open Awards is an Awarding Organisation regulated by Ofqual and an Access Validating Agency approved by the Quality Assurance Agency for Higher Education (QAA). We also approve a range of unregulated, or 'quality endorsed', courses which are required to meet the same set of quality standards as all our other provision.

Open Awards is a company Limited by Guarantee (Registered No. 5462874) and a registered charity (Charity No. 1113612). Our registered address is Open Awards, Estuary Commerce Park, 17 De Havilland Drive, Speke, Liverpool, L24 8RN.

Open Awards is registered as a 'data controller' with the Information Commissioner (ICO), in relation to the processing of any personal data you provide to us when you use our products and services.

For more information about Open Awards please visit [www.openawards.org.uk](http://www.openawards.org.uk).

## How does Open Awards collect personal data?

We may collect and process personal data provided to us if you:

- visit our website (through the use of cookies)
- complete a form through our website
- make an enquiry or application to become an approved centre
- upload data through our secure portal
- register a programme of learning and submit associated course documentation
- register learners on an approved course with us
- sign-up to receive communications (e.g. newsletter, events)
- enter into a contract with us
- correspond with us by phone, email or in writing
- attend an Open Awards event including online events (e.g. webinars, training)
- report a problem

## What personal data does Open Awards collect and process?

We will only collect data where there is a legitimate business reason or you have given explicit consent. Any data collected will be processed only for the purposes for which it has been submitted and to provide business critical data to support Open Awards business functions and regulatory reporting.

We may collect and process personal information about you, including: your name; gender; email address; contact address; contact number; job role, employment status; disability status or dietary requirements details for courses or events you have attended or delivered; data collected as part of any documents you complete with regard to Open Awards legitimate business functions; details of our services to which you have subscribed; payment card details and billing information; marketing and communication preferences.

**If you provide us with information about a person other than yourself you must ensure that they understand how their information will be used and that they have given their explicit consent for you to share it with us for the purposes as outlined in this notice.**

If you are a learner, tutor or contact at a centre, we may also receive information about you from your centre when they register to receive products and/or services from us.

**For tutors or other contacts at a centre:** Data may include name, gender, e-mail address, postal address, telephone number, job role, course details and feedback concerning learner registration and achievement (e.g. in the event of a complaint/appeal). Your contact details may be provided by your centre as part of their completed Centre Agreement form with Open Awards.

We may record certain online events such as webinars, training and live broadcasts. If an event is being recorded, we will notify you before recording begins. If you are an attendee or a presenter your image, audio and comments may be captured during the recording if you choose to share them.

**For learners:** This includes personal information for the purpose of registering learners and awarding learner achievements, and business critical and regulatory reporting, which is normally submitted through the Open Awards secure portal by the centre with which you have registered. The data collected that can be used to identify you includes, but is not limited to name, date of birth, gender, postcode, employment status, achievement (including prior achievement) and course data. We may also collect, store and use the following 'special categories' of sensitive personal information about learners: ethnicity, disability, learning difficulty or health problem.

We may also keep video recordings of learners undertaking remote on-line assessments where an agreed structure for remote invigilation is in place for a Centre. Recordings include video footage to identify and monitor the learner for the duration of the assessment.

Please see our 'Privacy Notice: Learner Information [here](#) for more details.

**Children's Privacy:** Open Awards does not knowingly register or collect personally identifiable information from anyone under the age of 13 ("Children"). If you, or a parent or guardian, has cause to believe that a child has provided us with personal information, please contact us immediately. We will ensure parental /guardian approval has been sought for the sharing of 'children's' data with us before we process their data.

**Visitors to our website:** Open Awards uses cookies (a small text file placed on your computer or device) to collect standard internet log information (including IP address), track visitor use of the website and to compile statistical reports on website activity. We also use cookies to help us to improve our website and tailor it to customer needs. Data we collect using cookies is only processed in a way which does not personally identify anyone and does not give us access to your computer.

You can choose to decline cookies if you prefer by modifying your browser settings. However, in a few cases, some of our website features may not function as a result.

If we do want to collect personally identifiable information through our website, we will be up front about this. We will make it clear when we collect personal information and will explain what we intend to do with it.

You can manage cookies by activating the setting on your internet browser that allows you to refuse the setting of all or some cookies. For further information visit <http://www.aboutcookies.org.uk> or [www.allaboutcookies.org.uk](http://www.allaboutcookies.org.uk)

We also use a third party service, Google Analytics, to collect standard internet log information, to better understand how visitors use the Open Awards website. This includes analyzing visitor numbers and page visits, which is processed in a way that does not identify an individual.

To opt-out of being tracked by Google Analytics across all websites you can visit [tools.google.com/dlpage/gaoptout](https://tools.google.com/dlpage/gaoptout).

Our website may contain links to other websites. When you link to these sites, you leave our website and your communications are no longer protected by our privacy notice. Open Awards is not responsible for the privacy practices nor the content of these websites. We recommend that you review the privacy notice of those sites to fully understand what information is collected and how it is used.

## **Why does Open Awards collect and process personal and sensitive information?**

The collection and processing of data by Open Awards is solely for the purpose of exercising its legitimate business functions and to meet its responsibilities, both statutory and otherwise. This includes using your personal details to provide the products and services you have requested; communications in relation to these products and services, including issues, complaints and disputes; administrative support; performing analytical processes to support our business functions and report to our regulators and a small number of other organisations as outlined below.

**‘Special categories’** of personal data require higher levels of protection (e.g ethnicity, disability or health status) which require further justification for collecting, storing and using.

The further justification on which we are relying to collect and process special category data is for archiving and statistical purposes in the public interest. This includes, but is not limited to using such data to support funding bids for new courses qualifications and services, research, national statistics. We have in place appropriate policy and safeguards when processing such data.

Where you have given your explicit consent to receive marketing communications, we may use your personal data to send you newsletters, information about events, job vacancies and products and services that may be of interest to you. You may unsubscribe to receive these communications at any time by emailing [marketing@openawards.org.uk](mailto:marketing@openawards.org.uk) or clicking on the ‘unsubscribe’ link within any of the marketing emails we send you.

We may also process your personal data if required by government or law, such as for crime prevention or fraud.

## Who do Open Awards share personal data with?

As part of our legitimate business functions, we share personal data with our regulators and may also share it with a small number of other organisations, with whom we share a business partnership. These organisations include:

Organisation	Relationship	Shared data
Ofqual and Department for Education (including collection by RM Education on behalf of DfE).	Regulator	Learner name, postcode, registration number, ULN, DOB, gender, ethnicity, learning difficulties and disability status, unit of learning and achievement details
Quality Assurance Agency (QAA)	Regulator	Learner name, postcode, registration number, ULN, DOB, gender, ethnicity, learning difficulties and disability status, unit of learning and achievement details
UCAS	Business partnership	Learner name, registration number, ULN, DOB, gender unit of learning and qualification achievement details
Learning Records Service (LRS)	Business partnership	Learner name, DOB, postcode, gender, registration number, achievement details
Higher Education Institutions	Business partnership	Access to HE Diploma Achievement
External contractors and partners who undertake work on behalf of Open Awards e.g. <ul style="list-style-type: none"> <li>• Portico</li> <li>• Hague</li> <li>• Colerind</li> </ul>	Business partnership  Database developers Certificate printers Assessment platform	Data recorded on the Open Awards database, secure portal and online assessment system

Unless otherwise stated, data is normally shared and processed as anonymised data. However, there may be situations, such as an investigation or complaint, when Open Awards is required to process or share individual personal details due to a legitimate business reason. In these instances, Open Awards will share only those details which are necessary to the case and will endeavour to maintain the security of this information.

We encourage centres to register learners with their Unique Learner Number (ULN). Any ULN's provided will be validated through a secure link with the Learner Records Service (LRS) during the initial registration. If any ULNs are invalid, we will notify the relevant centre, using our secure portal, to advise them of the actions required to rectify the error.

Upon achievement of Qualifications and/or Qualification units, Open Awards are required to pass the achievement details of learners to The Learning Records Service, who will update learners' Personal Learning Record (PLR). This is done through a secure link from the Open Awards database to the LRS database. The PLR is a source of information to support learners in their decision-making in relation to further study, employment or skills development. We only send achievement data to the PLR where a learner has a valid ULN.

We strongly encourage learners to visit the Learning Records Service website to view their Privacy Notice, which provides detailed explanation of how their data may be used. This can be visited at <https://www.gov.uk/government/publications/learning-records-service-the-plr-for-learners-and-parents>

## **Where do we store personal data?**

All personal information provided to us is stored on our secure servers located in the UK, or on the secure servers of sub-contractors that we have engaged to provide services on our behalf.

The security of personal information is vitally important to us. Unless otherwise stated, data is normally shared and processed as anonymised data. However, there may be situations such as an investigation or complaint, when Open Awards is required to process or share individual personal details due to a legitimate business reason. In these instances, Open Awards will share only those details which are necessary to the case and will endeavour to maintain the security of this information.

## **How does Open Awards protect and store personal data?**

Open Awards is committed to a notice protecting the rights and privacy of individuals and the protection of personal data from loss or destruction. We take all reasonable steps to ensure our staff is aware of their obligations in relation to the security and confidentiality of personal data and the lawful processing of any personal data shared with them.

The Open Awards portal is accessible only to pre-approved users by means of a secure login, which is provided by Open Awards. Users are bound by the Terms and Conditions of use of the portal, which prohibits the sharing of passwords or accounts.

The security of personal information is vitally important to us. However, no method of transmission over the internet or method of electronic storage is 100% secure. While we endeavor to use commercially acceptable means to protect personal information, we cannot guarantee its absolute security.

## **How long does Open Awards keep personal data?**

Open Awards has a comprehensive Data Retention Policy which covers all data we hold. Key areas include (but are not restricted to):

Data areas	Retention Period
Complaints and Appeals, including Appeals against Assessment Decisions	<b>3 years</b>
Learner Registrations, Recommendations for Award of Credit, Certificates, Transcripts and Qualifications issued	<b>Indefinitely</b>
Verifier Reports, Quality Reviews Reports	<b>5 years</b>
Remote invigilation of on-line assessment videos	<b>18 months</b>
Course documentation (withdrawn programmes)	<b>3 years</b> after expiry of course
Centre Recognition	<b>6 years</b> after recognition expires
Qualification Guides (including Qualification approval)	<b>6 years</b> after qualification expires
Payment card details	Card details taken by phone are processed immediately through a secure connection to the Merchant Service Providers Online Terminal and <b>not</b> otherwise recorded or stored.

## Access to your information and correction

Open Awards strives to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is incorrect, unfair, misleading or inappropriate. Any concerns can be sent to Open Awards by emailing [enquiries@openawards.org.uk](mailto:enquiries@openawards.org.uk).

You have the right to request a copy of the personal information that we hold about you by making a 'Subject Access Request' under the Data Protection Act 2018. If we do hold information about you we will:

- respond within one month of receiving your request;
- give you a description of the data we hold;
- tell you why we are holding it;

- tell you who it could be disclosed to; and
- let you have a copy of the information in a clear format

To make a request for information or changes to your details, please write to the contact address at the end of this notice or at [enquiries@openawards.org.uk](mailto:enquiries@openawards.org.uk).

## **Changes to our privacy notice**

Open Awards recognises that privacy and data protection concerns may change and evolve over time.

If we make any changes to this privacy notice we will update our website and, if appropriate, notify you by email. Please check frequently to see if there are any changes to this notice. If you don't agree to any changes, please do not continue to use our website or services, or provide us with your personal information.

## **How to contact us**

If you have any questions or concerns with regard to this notice or our use of personal data please contact:

Open Awards  
Estuary Commerce Park,  
17 De Havilland Drive,  
Speke  
Liverpool,  
L24 8RN

[enquiries@openawards.org.uk](mailto:enquiries@openawards.org.uk)