



Customer Privacy Notice

Our Commitment to Privacy

This Privacy Notice explains how PHX Training (referred to as “we”, “us” or “PHX Training Ltd”) collects information from you via the Centres or in any manner expressly described in the privacy statement and how this information is then used. When you provide us with your personal data you consent to us processing all such personal data.

Please read this Privacy Notice. If you have any questions, comments or concerns about how we handle your personal information, please e-mail hr@phxtraining.co.uk

Personal Information

We collect personal data about you when you enrol as a Learner.

At enrolment, we may ask you for sensitive personal data and for your consent to use it for a specific purpose. If you do not wish to provide this information, you may select the ‘Not Known’ / ‘Not Provided’ or ‘Prefer not to say option’.

We share your personal data with the Skills Funding Agency. The SFA through their Learner Registration Service allocates Unique Learner Numbers (ULNs) which enable individuals to access their participation and achievement data.

Purposes and Disclosures

We use your personal information to deal with your queries, to provide you with the services you request, to determine whether you are eligible for government funding, customer feedback and for general statistics and research.

Depending on the preferences indicated by you, we may use your personal data to contact you about PHX Training developments and offers.

We may disclose your information to certain government agencies in connection with the funding of your course.

Your Rights and Choices

You can request that;

- Your details not be used for marketing purposes;
- We provide you with a copy of the information we hold about you;
- We correct inaccuracies in your information.

The General Data Protection Regulation (GDPR) strengthens your rights over how companies use your data.

PHX Training ensure Data Subjects rights under the GDPR are protected by ensuring a Data Subject can request;

The Right to be Informed;

- The right to be informed encompasses our obligation to provide 'fair processing information', typically through a Privacy Notice. It emphasises the need for transparency over how we use personal data of individuals;
- The information we supply about the processing of personal data must be concise, transparent, intelligible and easily accessible, written in clear and plain language, particularly if addressed to a child and free of charge.

The Right of Access;

- Individuals have the right to access their personal data and supplementary information. This is known as a Subject Access Request (SAR);
- The right of access allows individuals to be aware of and verify the lawfulness of the processing;
- Under the GDPR, individuals will have the right to obtain confirmation that their data is being processed, access to their personal data and other supplementary information – this largely corresponds to the information that should be provided in a Privacy Notice;
- PHX Training must provide a copy of the information free of charge. However, we can charge a 'reasonable fee' when a request is manifestly unfounded or excessive, particularly if it is repetitive;
- Information must be provided without delay and at the latest within one month of receipt. PHX Training will be able to extend the period of compliance by a further two months where requests are complex or numerous;
- Certain data may not be disclosed where a relevant exemption applies. PHX Training will provide an explanation and a right of appeal in these circumstances;
- Where PHX Training are not the Data Controller, we will forward the request to the Data Controller and otherwise assist in answering the request, where appropriate. For example, where we are a Data Processor we will provide information we hold on behalf of the Data Controller to the Data Controller within a reasonable amount of time to allow them to respond to the request within the statutory time limits;
- For more information about SAR process, please see [DOC NO.] Subject Access Request Process.

The Right to Rectification;

- The GDPR gives individuals the right to have personal data rectified. Personal data can be rectified if it is inaccurate or incomplete;
- PHX Training must respond within one month. This can be extended by two months where the request for rectification is complex;

- If PHX Training cannot take any action in response to a request for rectification, we must explain why to the individual, informing them of their right to complain to the supervisory authority (ICO) and to a judicial remedy.

The Right to Erasure;

- The Right to Erasure is also known as 'The Right to be Forgotten'. The broad principle behind this right is to enable an individual to request the deletion or removal of personal data where there is no compelling reason for its continued processing;
- Individuals have a right to have personal data erased and to prevent processing in specific circumstances -where the personal data is no longer necessary in relation to the purpose for which it was originally collected / processed; when the individual withdraws consent; when the individual objects to the processing and there is no overriding legitimate interest for continuing the processing; the personal data was unlawfully processed (i.e. otherwise in breach of the GDPR); the personal data has to be erased in order to comply with a legal obligation;
- PHX Training can refuse to comply with a request for erasure where the personal data is processed to exercise the right of freedom of expression and information; to comply with a legal obligation for the performance of a public interest task or exercise of official authority; for public health purposes in the public interest; or archiving purposes in the public interest, scientific research historical research or statistical purposes; or the exercise or defence of legal claims.

The Right to Restrict Processing;

- Individuals have a right to 'block' or suppress processing of personal data;
- When processing is restricted, we are permitted to store the personal data to comply with legal or contractual obligations, but not further process it. We can retain just enough information about the individual to ensure that the restriction is respected in future;
- PHX Training are required to restrict the processing of personal data in the following circumstances;
 - Where an individual contests the accuracy of the personal data, we should restrict the processing until we have verified the accuracy of the personal data;
 - Where an individual has objected to the processing (where it was necessary for the performance of a public interest task or purpose of legitimate interests), and we are considering whether our organisation's legitimate grounds override those of the individual;
 - When processing is unlawful, and the individual opposes erasure and requests restriction instead;
 - If PHX Training no longer need the personal data but the individual requires the data to establish, exercise or defend a legal claim.
- We must inform individuals when we decide to lift a restriction on processing.

The Right to Data Portability;

- The Right to Data Portability allows individuals to obtain and reuse their personal data for their own purposes across different services;

- It allows them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability;
- The Right to Data Portability only applies to personal data an individual has provided to a controller, where the processing is based on the individual's consent or for the performance of a contract; and when processing is carried out by automated means;
- PHX Training must provide the personal data in a structured, commonly used and machine-readable form; open formats include CSV files. Machine readable means that the information is structured so that software can extract specific elements of the data. This enables other organisations to use the data;
- PHX Training must respond without undue delay, and within one month. This can be extended by two months where the request is complex or we receive a number of requests. We must inform the individual within one month of the receipt of the request and explain why the extension is necessary;
- The information must be provided free of charge.

The Right to Object;

- If a Data Subject believes that the processing of personal information about them is causing, or is likely to cause, substantial and unwarranted damage or distress to them or another person, they may notify the organisation in writing to request PHX Training to put a stop to the processing of that information;
- Individuals have the right to object to processing based on legitimate interests or the performance of a task in the public interest / exercise of official authority (including profiling), direct marketing and processing for purposes of scientific / historical research and statistics;
- PHX Training must stop processing the personal data unless we can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual or the processing is for the establishment, exercise or defence of Legal claims;
- PHX Training must inform individuals of their Right to Object 'at the point of first communication' and in our Privacy Notice. This must be "*explicitly brought to the attention of the Data Subject and shall be presented clearly and separately from any other information*".

Rights in Relation to Automated Decision Making and Profiling;

- The GDPR applies to all automated individual decision-making and profiling. This may be not applicable to PHX Training if we are not using any automated means to process personal data;
- Automated individual decision-making (deciding solely by automated means without any human involvement);
- Profiling (the automated processing of personal data to evaluate certain things about an individual) can be part of an automated decision-making process;
- PHX Training can only carry out this type of decision-making where the decision is necessary for the entry into or performance of a contract or authorised by Union or Member state law applicable to the Controller or based on the individual's explicit consent.



Important Information

Your personal data is protected by UK data protection Law.

You can find the details for the UK Information Commissioner at www.informationcommissioner.gov.uk

How to Contact Us

To obtain a copy of your personal data, to correct inaccuracies or if you have any queries or concerns about how we handle your personal data, please contact;

- HR, PHX Training Ltd, 3-5 Victoria Place, Carlisle, CA1 1ES
- E-mail - hr@phxtraining.co.uk
- Call – 01228 210 317

The Information We Collect During the Enrolment Process

When you enrol with PHX Training, you (or the person enrolling you) must tell us;

- Your full name;
- Your gender;
- Your date of birth;
- Your address (and correspondence address if different);
- Primary telephone number;
- Your employment status;
- Where you heard about us;
- If you have done any learning in the last three years.

We also request other information including your Title, middle Name, e-mail address, National Insurance Number. You do not have to provide this information, but if you do not, you may not get the most out of your learning.

At enrolment we may request additional information, such as where you heard about us and if you have done any learning in the last three years, other information we may collect is set out in this Privacy Notice.

Please note that when you enrol on a PHX Training Course that leads to a Qualification such as a Level 2 Qualification, we send non-sensitive personal information to the relevant awarding bodies so that they can undertake the administration associated with your Qualification.

Other Information We Collect When You Enrol in a Learning Centre

PHX Training may collect other information to see if you can have Government funding.

If Government funding is available for any of our courses, you need to answer some other questions to see if you are eligible.

If you wish to take advantage of any such funding, you will be asked about;

- Your age;
- Your Education so far;
- Your citizenship status;
- Where you live and how long you have lived there.

We, or our Approved Service Providers, may require additional information from you in order to support an application for funding. If you do not want to provide us with this information, we will not be able to offer you the course at the reduced price.

Learner File

When you start your learning, we will create a Learner File to hold the documents which relate to your learning and evidence of proof of identity and funding eligibility.

As you progress through your learning, other documents, including some of your course work, may be held on this file.

Information We Collect When You Enter Competitions

From time to time we may run competitions and promotions on the website or in centre. If you enter these, we may ask for your Name, address, e-mail address and username so that we can administer and control the competition and, of course, notify the winners.

Sensitive Personal Data

At or before enrolment you may be asked for sensitive personal information but you do not have to provide it. If you decide to provide sensitive personal data we will use it for the purposes described in the section below.

If you do not want to provide it, or do not want us to use it for these purposes then when enrolling in a PHX Training Centre select the 'Not Known / Not Provided' option.

How We Use the Information We Collect

PHX Training use your personal information and your Learner File;

- To answer your queries or complaints;
- To deliver our services;

- To support your learning;
- To provide course materials;
- To carry out administration;
- To improve the quality of services;
- To support your application for government funding;
- To obtain Customer feedback;
- For general statistics and research;
- For obtaining any relevant professional advice;
- As may be required by Law or in connection with legal proceedings (including where we intend to take Legal proceedings), or as may be necessary to establish, exercise or defend our Legal rights.

Third Parties and Sponsors

We do not share any information with Third Parties or Sponsors.

Referral Partners

If PHX Training have received your details as a referral from one of our partners we may be required by the referral partner to provide them with updates on the following areas, for example Job Centre Plus, Inspira etc.;

- Attendance;
- Progress;
- Achievement / completion;
- Outcome / destination;
- Withdrawal.

Keeping You Informed

PHX Training will use your information to send you regular updates about;

- Our services and materials;
- Additions to the website;
- Specific activities such as customer feedback surveys and competitions.

If you enrol on a PHX Training course, you will periodically be sent Customer feedback surveys.

If you do not wish to be contacted for Marketing purposes, please do not tick any of the Marketing Contact boxes.



We will never use your sensitive personal data for marketing purposes without your express consent.

Funding

PHX Training may use your personal data to process or to support any application made for funding associated with your learning. For these purposes we will share the information you supply with the Skills Funding Agency in England, we also gain funding for courses from partnership working with establishments, for instance – Lancashire County Council. [Link to Lancashire County Council Customer privacy notice –](#)

[Lancashire County Council Privacy Notice -
https://www.lancashire.gov.uk/council/transparency/access-to-information/privacy-notice/](https://www.lancashire.gov.uk/council/transparency/access-to-information/privacy-notice/)

The Skills Funding Agency and partners may in turn share it with the European Social Fund, or other Government agencies that may provide funding for your course.

PHX Training may use a third-party service to verify your identity for funding eligibility.

We may also share it with the Office for Standards in Education, (Ofsted) so that it can check our use of public monies.

If you do not want us to use your personal data for these purposes, we may not be able to offer you the course.

PHX Training, or the Government Agency providing funding for your course, may use your personal data and Learner File to investigate a suspected misuse of public monies or other fraudulent activity by any person relating to your learning activity. In doing so, we, or the Government Agency providing funding for your course, may disclose your information to other Government Agencies (e.g. the Department of Work and Pension) to establish whether there has been any duplication of funding for your course. We may also contact you for the purposes of any such investigation.

Consent to Keep in Touch

PHX Training would like to keep in touch with you about any new courses we may be offering / any competitions we may be running or just to give us feedback on our courses and how you are progressing.

We will never sell your data and we promise to keep your details safe and secure.

If you would like us to keep in touch please opt in by selecting the methods below.

☐ **SMS**

☐ **Email**

☐ **Post**

You can withdraw or change your consent at any time by e-mailing hr@phxtraining.co.uk