



Privacy Notice: Guidance for training and learning providers

Overview

To meet the requirements of the Data Protection Act 1998, schools, colleges and learning/training institutes are responsible for issuing a copy of the Privacy Notice to learners and/or parents/guardians summarising the information held on record about them, why it is held and the third parties the data may be shared with.

The Learning Records Service provides two recommended text versions of the Privacy Notice Text: Shortened Text and Extended Text. The following wording should be included in the Learning Providers / Learning Advisors / Awarding Organisations' own Privacy Notice where the organisation has a direct relationship with the learner.

We are making available this standardised text in word format for you to copy and paste into your own administration systems, forms and documentation, to simplify the process.

Privacy Notice for pupils, students, learners and trainees

1. Shortened Privacy Notice Text

Wording for incorporation into provider application and registration forms where there is limited space to include this wording.....

The information you supply will be used by the Skills Funding Agency, an executive agency of the Department for Education (DfE), to issue you with a Unique Learner Number (ULN), and to create your Personal Learning Record. For more information about how your information is processed and shared refer to the Extended Privacy Notice available on Gov.UK.

2. Extended Privacy Notice Text

This statement is intended to provide you with information as to how the Learning Records Service will collect and use your personal information and data, and how you can exercise choice in respect of the use of your personal data.



Skills Funding Agency

The Learning Records Service is operated by the Skills Funding Agency. The Learning Records Service collects data relating to learners registering for relevant post-14 qualifications, for example GCSEs and A-Levels, Entry to Employment Certificates, Regulated Qualifications Frameworks and Welsh Baccaalaureate and associated units.

The Learning Records Service stores learner participation and achievement data collected directly from awarding organisations. This information is known as the 'Personal Learning Record' (PLR). Permitted organisations will have access to your PLR in order to access your achievements, awards and to enable advice and guidance to be provided to you. You as the learner will be able to get a copy of your PLR.

The Learning Records Service provides:

- a Unique Learner Number (ULN) to individual learners.
- a Personal Learning Record.

Collection of data

The Learning Records Service collects data from:

- DfE, schools and training/learning providers.
- Information provided by you when enrolling with the training/learning provider.
- Qualification/unit data held by Ofqual and Qualifications in Wales (QiW).
- Participation and achievement data held by the Welsh Government.
- Accredited achievement data supplied by awarding organisations.

Use of data

The Unique Learner Number enables education and training sector organisations, and Awarding Organisations regulated by Ofqual in England, Qualifications in Wales (QiW) in Wales and CCEA in Northern Ireland, to share information about participation and achievement in a consistent and approved manner, promoting good information management practice, and helping to improve accuracy and efficiency.

This will benefit you through enhancing the application processes to Awarding Organisations, learning providers, learning advisors and other third parties.

The PLR will be shared with organisations linked to your education and training, including those organisations specified in Regulations made under section 537A of the Education Act (refer to Annex A).



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Awarding organisations are able to access limited achievement data that we hold about you, in order to verify its accuracy.

All organisations that have control of the personal data about you and that we store in the Learning Records Service are required to be registered under the Data Protection Act 1998 and to use your personal information in accordance with the requirements of the Act. These organisations are required to sign relevant agreements and control documentation that requires them to manage your data responsibly and only to access information where there is a direct relationship between you and the relevant organisation.

At no time will your personal information be passed to any organisations for marketing or sales purposes.

Permissions for sharing

The ULN is required to fulfil statutory requirements for administrations of services within the education and training sector. You cannot opt out of being issued with a ULN by the Learning Records Service.

However, you can opt-out of sharing your PLR. For details of how you may opt out of sharing your participation and achievement data refer Gov.UK: Useful Information for Learners and Parents:

<https://www.gov.uk/government/publications/learning-records-service-the-plr-for-learners-and-parents>

A consequence of deciding not to allow data sharing of your participation and achievement data contained in the PLR will be that you may need to provide copies of certificates or other information to verify your achievements

Reporting inaccuracies on the PLR

A major benefit of the Learning Records Service is that you can check that information held about you is accurate and request that any inaccurate data is corrected. For more information about how to report a problem on your PLR go to Gov.UK: Useful Information for Learners and Parents documents:

<https://www.gov.uk/government/publications/learning-records-service-the-plr-for-learners-and-parents>

Awarding Organisations are responsible for maintaining the currency and accuracy of any achievement data they upload into your PLR.



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Sensitive personal data

The Learning Records Service makes every effort not to display any qualification information which consists of sensitive personal data on the PLR (e.g. data which relates to ethnic origin, physical or mental health, religious beliefs, trade union membership or any criminal offences or proceedings).

If you consider that any sensitive qualification data has inadvertently been stored in your PLR, you should contact the LRS service desk.

Sensitive learners

The Learning Records Service recognises that some learners have specific concerns about privacy which mean that additional safeguards are required. The Learning Records Service implements a Sensitive Learners Policy to ensure these safeguards are implemented.

Security

The Learning Records Service recognises the need to keep your information secure and has implemented a Security Policy that provides the appropriate technical and organisational measures aimed at preventing loss of, or unauthorised use of, your information in accordance with Government standards.

How long will we keep your data?

The Learning Records Service is intended to provide a life-long record of learning which will be available to you at any time you choose to participate in education or training. Therefore, the Learning Records Service may continue to hold your ULN, PLR and Regulated Qualification Framework and associated data for 66 years and will be reviewed periodically.

Updates to this policy

The Learning Records Service recognises that privacy and data protection concerns can evolve over time and will keep this policy under review. Any amendments will be posted here and will be notified to learners when they access their PLR.

Summary

- The information you supply will be used by the Skills Funding Agency, an executive agency of the Department for Education (DfE), to issue you with a ULN and your own PLR.



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- Your ULN is a ten digit reference number, unique to yourself for use within education. Please keep this number in a safe place.
- Your ULN will also be used to collect and share information amongst education related organisations, careers advisors, and college registration and course enrolment staff.
- Your PLR will include information about your qualifications, awards, training events and learning achievements that you may collect throughout your education lifetime – at all levels and also whilst you are working and learning.
- Your PLR can be shared with organisations who have a responsibility for providing, funding and serving your education and training.
- Your PLR record will help you to share your achievements, including any participation of learning, the training institute details and over what period. Please note that **you will always be in control** of who accesses your PLR.
- If you have still not reached the age of 16, please discuss this privacy notice explanation with your parent or legal guardian.



Annex A

The list of organisations that may access the information you provide now or in the future where there is a direct connection between you and their organisation and the permitted purpose for why they may access your Personal Learning Record.

PART A. Permitted Organisations: Achievement Data Sharing Summary Table

Permitted Organisations	Permitted Purposes	Basis for Use of Achievement Data	Scope of Access to Achievement Data	Restrictions
The Federation for Industry Skills & Standards	To provide evidence of an Individual Learner's achievement to support awarding of an Apprenticeship	The Alliance is the delegated Certifying Authority for Apprenticeships in England as set out in the Apprenticeships, Skills, Children and Learning Act (ASCL) 2009, section 6	General and Vocational Achievement Data, including achievement for individual learners taking Apprenticeship	Learning Providers accessing the LRS will provide Unique Learner Number's of individual learners claiming an Apprenticeship, to enable confirmation of the award of an Apprenticeship. Sector Skills Councils or other Sector Skills Bodies are not permitted access to Achievement Data.
The Welsh Government Education and Public Services Group(EPS)	Access to achievement data to monitor performance for the purpose of meeting statutory obligations with regards to the funding of qualifications; ensuring quality assessment of education and training; measuring success; ensuring clear accountability in meeting legislation and regulation for the provision of education and training; production of official statistics	<p>The Learning and Skills Act 2000 (LSA 2000), Welsh Ministers:</p> <p>Under section 31 must secure the provision of proper facilities for the education (other than higher education) and training of persons over compulsory school age who have not attained the age of 19:</p> <p>Section 37 assess the quality of the provision they fund, and to take judgements about quality into account in deciding which providers they continue to fund.</p> <p>Section 107 of the Apprenticeships, Skills Children and Learning Act 2009 ("ASCLA")</p>	Access is required to PLR data for all learners with Welsh postcodes in order to monitor performance for Welsh Learners.	Learners with Welsh Postcodes in order to monitor performance for Welsh Learners. The data will be shared with the Welsh Government on condition that it is used by the Welsh Government for the permitted purposes only. The data may not be onward shared with other organisations, or used for other purposes.

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	<p>and research to inform government policy.</p>	<p>provides the legal basis for the Chief Executive of Skills Funding to provide services to Welsh Ministers.</p> <p>Education Act 1996 (section 10): Welsh Ministers to promote the general education of the people of Wales, together with section 71 of Government of Wales Act (GOWA) 2006 which enables them to do anything which is calculated to facilitate, or is conducive or incidental to the exercise of their functions.</p> <p>The collection of data is supported by The School Performance Information (Wales) Regulations 2011: schedule 7 and 8 of Part 3 of the Regulations. These Regulations, made under sections 29(3), 408, 537, 537A(1) and (2) and 569(4) and (5) of the Education Act 1996, apply in relation to schools in Wales. The Regulations relate to the collection of information about the performance of schools.</p>		
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Permitted Organisations	Permitted Purposes	Basis for Use of Achievement Data	Scope of Access to Achievement Data	Restrictions
<p>Department for Education (DfE)</p> <p>Education Funding Agency (EFA)</p> <p>Skills Funding Agency (SFA)</p>	Funding	<p>The Education Funding Agency (EFA) is an Executive Agency of the Department for Education (DfE) in England.</p> <p>The EFA's principal responsibilities are:</p> <ul style="list-style-type: none"> to provide funding for the education of pupils in academies; to distribute the Dedicated Schools Grant for the education of pupils up to age 16 in local authority maintained schools; to provide funding for all 16-19 education and training; to provide funding for learners with learning difficulties and/or disabilities aged 16-25; to support the delivery of capital programmes for schools, academies, Free Schools and sixth form colleges. 	<p>Maths and English GCSE grades and their achievement dates. This data will be extracted from the PLR at specific dates and shared with EFA</p>	<p>The current EFA requirement is limited to 'standard' GCSE Maths and English only, and does not include GCSE Applications in Mathematics, GCSE English Literature. This data will be shared with EFA on condition that it is used by EFA for funding purposes only. The data may be divided up and shared with individual learning providers funded by EFA as part of their funding explanation, but otherwise is not onward shared with other organisations, or used for other purposes.</p>
Permitted Organisations	Permitted Purposes	Basis for Use of Achievement Data	Scope of Access to Achievement Data	Restrictions

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<p>Department for Work and Pensions (DWP)</p>	<p>Identification of qualifications to assist the assessment of a claimant's skills levels with the following specific aims that cover three particular roles:</p> <ol style="list-style-type: none"> 1. To enable Jobcentre Plus work coaches to have an up-to-date knowledge of courses/training that clients have achieved that will support their return to employment; to help share the most effective claimant commitment; and to prevent duplication of support (and therefore cost) already given; and to help achieve sustained employment. 2. To enable Employment and Benefit Advisers (EBAs) (who work in prisons) to have an up-to-date knowledge of courses/training that prisoners have achieved (before and during prison sentence) to: 3. Help share the time spent in person towards employment; 4. Ensure the most effective support is given on release from custody; 	<ol style="list-style-type: none"> 1. Section 72 of the Welfare Reform and Pensions Act 1999, together with the Social Security (Claims and Information) Regulations 1999 and the Welfare Reform and Pensions Act (Section 72) (Relevant Authority) Designation Order 2010, create a legislative gateway enabling relevant employment and training information to be shared between DWP and providers in order to assist claimants with employment and training needs. The existence of this legislation means there is no need to obtain a claimant's consent in order to enable relevant personal data to be shared. 2. Section 14 of the Offender Management Act 2005 (applies to England and Wales) provides legal authority for DWP (and the Skills Funding Agency) to share data with prisons, probation services and their service providers for the management of offenders. There is no restriction on the sort of data that can be exchanged. 3. Section 3 of the Social Security and Administration Act allows the sharing of specified types of information between DWP and their service providers for the management of offenders. There is no restriction on the sort of data that can be exchanged. 4. Section 13 of the Social Security and Administration Act allows the sharing of specified types of information between DWP and their service providers. 	<p>View only access to the Personal Learning Record (PLR) housed within the Learning Records Service (LRS) for DWP work coaches, EBA's and a small team (two or three named members of the DWP Provider Payment Validation Team).</p>	<p>Access will only be granted where there is a clear need within the role description to have view only access to the information as part of a skills assessment or as part of the skills referral process or in the case of DWP Provider Payment Validation Team where confirmation of completion is required.</p>
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	<ol style="list-style-type: none">5. Help enable courses/training or specific employment route ways started before prison to continue during sentence.6. Prevent duplication of support/courses already given; and7. Enable courses started in custody to be completed after release.8. To enable DWP Provider Payment Validation Team staff, to quickly identify and confirm where an individual has successfully achieved the English Language Requirement (Scotland and Wales) qualification, and therefore validate that contracted services have been delivered so entitlement to payment can be confirmed.	<p>Information can be shared it is relates to (inter alia) employment or training.</p> <ol style="list-style-type: none">5. Section 1 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013 (for JSA claimants) and under section 16 of the Welfare Reform Act 2012 (for Universal Credit claimants) provides authority for the English Language Requirements in Scotland and Wales which will be delivered under the 'Skills Conditionality' definition. The English Language Requirements is a new provision contracted by DWP.		
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<p>UCAS (Universities and Colleges Admissions Service)</p>	<p>To verify an applicant's claim to UK qualifications.</p> <p>Access achievement for progression/entry of individual Learners into higher education and for onward sharing with education institutions to support individual applications</p>	<p>UCAS operates a dedicated Verification Team (established in 1996 and partially funded by BIS), tasked with the prevention and detection of fraud in applications and more recently similarity in personal statements. We have a responsibility to our applicants, members and stakeholders to screen applications for false, missing and/or misleading information and personal statements for patterns of similarity and to report our findings. Our aim is to avoid anyone gaining from an unfair advantage and securing a place by deception.</p>	<p>Access to Verify and Personal Learning Record (PLR) to allow the UCAS Verification Team to verify an individual's ULN and results showing on the PLR against their UCAS application.</p>	<p>Access would be limited to ad hoc searches and only shared with higher education providers named in their UCAS application.</p>
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PART B: Future Permitted Organisations: Achievement Data Sharing Summary Table

Future Permitted Organisations	Permitted Purposes
<p>Student Loans Company</p>	<p>Access achievement for funding further and higher education</p>
<p>Government Departments, Devolved Administrations & NDPBs/Agencies</p> <ul style="list-style-type: none"> - DELNI/DENI, Scottish Government; - Ofsted 	<p>Access to Achievement Data for measuring and auditing eligibility to public funding, matching apprentices, ensuring independent quality assessment of education and training; measuring success; ensuring clear accountability in meeting legislation and regulation for the provision of education and training; production of official statistics and research to inform government policy.</p>