

NISQ D17

**Collecting and Protecting Information**

**Privacy Policy**

**Commitment**

**1. DATA and NISQ**

NISQ considers Personal Information and the way in which it is collected as being a vital component to ensure the General Public Confidence with NISQ Awarding Organisations is not Adversely Affected. This Policy explains where and why NISQ collects DATA and how it remains secure.

NISQ DATA Collected by;

* Website – Marketing or Research
* Qualifications, Teaching, Assessments or examinations – NISQ eLearners Pathway,
* Internet – Emails, Social Media or Blogs
* Phone
* Staff within NISQ

**2. The General Data Protection Regulation – GDPR**

NISQ And NISQ Approved Centres are Registered with the Information’s Commissioners Office, they receive updates and regular recommendations for the ICO. The ICO monitors how companies collect, store and disseminate DATA/Information.

**General Principles**

The GDPR sets out seven key principles:

* + Lawfulness, fairness and transparency
	+ Purpose limitation
	+ Data minimisation
	+ Accuracy
	+ Storage limitation
	+ Integrity and confidentiality (security)
	+ Accountability

These are the key principles when it comes to processing personal data.

The principles and Legislation

Article 5 of the GDPR sets out seven key principles which lie at the heart of the general data protection regime.

Article 5(1) requires that personal data shall be:

“(a) processed lawfully, fairly and in a transparent manner in relation to individuals (‘lawfulness, fairness and transparency’);

(b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes (‘purpose limitation’);

(c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (‘data minimisation’);

(d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (‘accuracy’);

(e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals (‘storage limitation’);

(f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (‘integrity and confidentiality’).”

Article 5(2) adds that:

“The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 (‘accountability’).”

**ICO Ethos**

The principles lie at the heart of the GDPR. They are set out right at the start of the legislation and inform everything that follows. They don’t give hard and fast rules, but rather embody the spirit of the general data protection regime - and as such there are very limited exceptions.

Compliance with the spirit of these key principles is therefore a fundamental building block for good data protection practice. It is also key to your compliance with the detailed provisions of the GPDR.

Failure to comply with the principles may leave you open to substantial fines. Article 83(5)(a) states that infringements of the basic principles for processing personal data are subject to the highest tier of administrative fines. This could mean a fine of up to €20 million, or 4% of your total worldwide annual turnover, whichever is higher.

**Use of Equalities Data by NISQ**

Under the Equalities Act 210, NISQ has a legal responsibility to promote and advance equality, both to learners and employees, in order to do this personal information collected from Learners and employees provides NISQ with up to date equality information that helps NISQ;

* Adapt Services, as necessary, to meet the need of learners, employees and users of qualifications,
* Ensure NISQ Regulated Qualifications and services are available to all learners, those seeking employment, users of qualifications,
* Know who is using the services,
* Improve the way they do business,
* Avoid discriminating against learners or those seeking employment, users of qualifications,
* Make sure the policies and decisions of NISQ do not unintendingly have consequences for groups or a particular group of learners, seeking employment, users of qualifications,
* Identify what NISQ can do to avoid or tackle discrimination or harassment,

**3. NISQ Website**

The NISQ may collect the following information from their website;

* Information when Persons communicate with NISQ – emails
* Comments for Blogs and Feedback
* Use of Cookies, Page tagging techniques JavaScript; and or
* Login, use of site services, use of Blogs, redirection form various sites or search engines
* Certain operating systems versions and device information
* Search Trends or Queries
* Phone numbers, skype numbers, time and date and duration,
* Internet Addresses,
* Cookies and Browsers identification,
* Moving on from our Website to other searches,
* Location Specific Information

NISQ Website may through their website construction collect information to help NISQ improve the user experience on their website. NISQ may send you information of existing, new or of improvements to our services. Any further use will require consent, outside the parameters of this Policy. NISQ secure servers may require processing personal information outside the country of initial inquire origin. When sent to NISQ information may be forwarded by that website – this is in their privacy policy.

**4. NISQ Security**

NISQ has in place Internet Security to protect [www.nisq.uk](http://www.nisq.uk) and the users of the NISQ from unauthorised access, removal, disclosure of or destruction of information, in order to do this NISQ:

* Has encrypted services using SSL in particular forms with user data or logins. Do not disclose any information if you do not see the lock on the browser and you should always keep any usernames and passwords secure, do not share this information with anyone else.
* NISQ Review the information collection, how the information is stored and processed, NISQ has limited access to servers to prevent unwanted and unauthorised
* Access to personal information to is restricted to employees and contractors who need to know that information in order to process it for us, and who are subject to strict contractual confidentiality obligations and may be disciplined or terminated if they fail to meet these requirements, due to gross misconduct.

**5. Terms of Use**

The website is provided by NISQ, 51 Old Ballygowan Road, Comber, BT23 5NP. By using our Website and Services, you are agreeing to these terms.

**Changes**

We are constantly adding to our Services, additional terms or product requirements, Additional terms will be available with the relevant Services, and they will become part of your agreement with us if you agree to use those Services.Using our Services, you must follow any policies made available to you within the Services.Don’t misuse our Services. For example, don’t interfere with our Services or try to access them using a method other than the interface and the instructions that we provide. You may use our Services only as permitted by law. We may suspend or stop providing our Services to you if you do not adhere to our terms or policies while we investigate.

Using our Services does not give you ownership of any intellectual property rights in our Services or the content you access. These terms do not grant you the right to use any branding or logos used in our Services. When using our Services, we may send you service announcements, administrative messages, and other information. You may control some of those communications, information on this will be listed on each service.

**6. Privacy and Copyright Protection**

NISQ privacy policies explain how we use your personal data and how we protect your privacy when you use our Services. By using our Services, you agree that the NISQ website can use such data in accordance with our privacy policies. The copyright in the content of this is owned by ©2018NISQallrightsreserved.

**7. Modifying and Terminating our Services**

On a regular basis we improve our Services. We may add or remove functionalities or features, and we may suspend or stop a Service. You can stop using our Services at any time, the NISQ website may also stop providing Services to you or add or create new limits to our Services at any point in time. If we discontinue a Service, where reasonably possible, we will give you reasonable advance notice and time to get your information from that Service.

Disclaimers -We provide our Services using a commercial level of skill and we hope that you will enjoy using them. All and any liability which might arise from these pages is hereby excluded to the fullest extent permitted by law.

**8. Links to Other External Websites**

NISQ is not responsible for the content of linked websites and does not necessarily endorse, recommend or approve of the content of these sites. We cannot guarantee that these links will work all the time and we have no control over availability of linked pages. These links are provided simply as a service and should not be taken as an exhaustive list of websites, which might be of possible interest.

**9. About these Terms**

We may change these terms and additional terms that apply to a Service to, for example, to reflect changes to in the law or changes to our any of our Services. You should look at them on a regular basis to keep yourself up to date. We’ll post notice of modifications to these terms on our website. We’ll post notice of modified additional terms in the applicable Service. If you do not agree to the modified terms for a Service, you should discontinue your use of that Service.

Key terms:

* Application data cache
* Browser web storage
* Cookies and similar technologies
* Device
* HTTP Referrer
* IP address
* Personal information
* Sensitive personal information
* Server logs

**Application data cache**-An application data cache is a data repository on a device. It can, for example, enable a web application to run without an internet connection and improve the performance of the application by enabling faster loading of content.

**Browser web storage**-Browser web storage enables websites to store data in a browser on a device. When used in "local storage" mode, it enables data to be stored across sessions (for example, so that the data are retrievable even after the browser has been closed and reopened). One technology that facilitates web storage is HTML 5.

**Cookies and similar technologies**-A cookie is a small file containing a string of characters that is sent to your computer when you visit a website. When you visit the website again, the cookie allows that site to recognize your browser. Cookies may store user preferences and other information. You can reset your browser to refuse all cookies or to indicate when a cookie is being sent. However, some website features or services may not function properly without cookies. Other technologies are used for similar purposes as a cookie on other platforms where cookies are not available or applicable, such as the Advertising ID available on Android mobile devices.

**Device**-A device is a computer that can be used to access ccea.org.uk services. For example, a device could be a desktop, tablet or smartphone.

**HTTP Referrer**-An HTTP Referrer is information transmitted to a destination webpage by a web browser, typically when you click a link to that webpage. The HTTP Referrer contains the URL of the last webpage the browser visited.

**IP address**-Every device connected to the Internet is assigned a number known as an Internet protocol (IP) address. These numbers are usually assigned in geographic blocks. An IP address can often be used to identify the location from which a device is connecting to the Internet.

**Non-personally identifiable information**-This is information that is recorded about users so that it no longer reflects or references an individually identifiable user.

**Personal information**-This is information which you provide to us which personally identifies you, such as your name, email address or billing information, or other data which can be reasonably linked to such information by Google, such as information we associate with your Google account.

**Server logs**- Like most websites, our servers automatically record the page requests made when you visit our sites. These “server logs” typically include your web request, Internet Protocol address, browser type, browser language, the date and time of your request and one or more cookies that may uniquely identify your browser.

**10. Use of Cookies**

* The NISQ website and some of the tools and services it links to use a number of cookies.
To help us meet the needs of our users, we use Google, Google Analytics stores information about what pages you visit, how long you are on the website, how you got here and what you click on. Through this, we cannot identify who you are and do not collect or store your personal details such as your name or address.

**12. Social Media cookies**

NISQ will be active on a range of social media platforms. Please note we have no control over the use of cookies on these third-party sites. For more information on the privacy policies for the social media sites please click on the relevant links below:

* Facebook
* YouTube
* LinkedIn

**13. Contract for Services**

We process personal data relating to those who undertake work on our behalf under contract for services. We do this to assist in the running of the business and to enable individuals to be paid where appropriate.

The collection of this information also benefits NISQ by:

* ensuring our processes are fully supported during key periods
* informing the development of appointment policies and procedures
* allowing better financial modelling and planning

The personal data may include identifiers such as:

* Name
* Date of birth
* Address
* Telephone/mobile numbers
* Email address (where provided)
* National insurance number
* Bank details and payment records
* Next of kin and GP contact details
* Application forms and references
* Employer details
* Performance records
* Attendance/training records
* Complaints and investigations
* Conflicts of interest
* CCTV footage (see separate privacy notice)

NISQ will not share information about you with third parties without your consent unless the law allows or requires us to. We are required to share some of your personal data with:

* The Department of Education and The Department for the Economy
* Her Majesty’s Revenue and Customs
* Education Authority

**14. Learners**

NISQ process personal data relating to those learners who enter for a NISQ Regulated Qualification. This includes sitting a NISQ Invigilated Examination, completing assignments and assessments. NISQ processes information in the marking of examination papers, the delivery of results to learners, the certification of results and the permanent record of these results.

The personal data may include identifiers such as:

* Name
* Candidate number for examinations and ULN (Unique Learner Number)
* Date of birth
* NISQ Approved Centre, you are registered with as your examinations centre
* NISQ Qualification Portfolio and levels entered for examination and assessment
* Performance information such as examination and assessment marks, finalised mark and/or grades.
* Applications for enquiries, appeals, reasonable adjustment and special consideration information (if applicable) – this may include information we consider ‘sensitive’ as it may be information that your NISQ Approved Centre need to know when considering teaching, examination and assessments. For example, there may be medical information that is important when it comes to your results.

This information is shared with NISQ Approved Centres of relevance, NISQ will not disclose it to anyone else unless we are required to by law. For example, we will not disclose your examination or assessment information with anyone other than your NISQ Approved Centre or with your carer or next of kin.

There may be occasions where NISQ Approved Centres take photographs or video footage. For example, the NISQ Approved Centres may do this for live scenarios for evidence purposes or with your permission events such as Certification. We may wish to use the photographs or video for use on our website or in documents we produce. At any time, we take your photograph/video footage we will ask for consent from you. We will not put photographs or video footage of you on social media, in any of our publications or on our website without having consent to do so.

There are some occasions when we are required to share some of your personal data with:

* University/college places: We may share your examination and assessment results with universities for those who are applying for university. We do this through sharing your information with the Universities and Colleges Admissions Services (UCAS) and Central Applications Office in Galway to help them process offers for university/college places.
* Social media: In the same way that someone might write something in an examination or assessment, someone might write something on social media that gives us cause for concern. We try and monitor social media during the working day but please be aware that any personal information you share may be seen by others.

**Benefits**

The collection of this information also benefits NISQ by:

* improving the management of Learner Applications,
* ensuring NISQ is not discriminating against all be it unintentionally against a particular group or learners,
* ensuring our processes are fully supported during key periods,
* improving the services to all learners, leading to a better understanding of learner needs, disabled learners needs and those with specific religious requirements,
* enabling development of a comprehensive picture of the learner profiles and how it is represented,
* informing the development of the Application process and learner policies,
* allowing better financial modelling and planning,
* enabling monitoring of selected protected characteristics,
* provides NISQ with information on how earners are progressing along the Qualification Pathway,
* **15. Employees**

We process personal data relating to those we employ and for those contracted for their services. For staff we do this for employment purposes, to assist in the running of the business and to enable individuals to be paid. For Contract for Services individuals we do this to assist in the running of the business and to enable people to be paid in line with their contracts.

The collection of this information also benefits NISQ by:

* improving the management of staff resources across the business
* ensuring our processes are fully supported during key periods
* enabling development of a comprehensive picture of the staff profile and how it is deployed
* informing the development of recruitment and retention policies
* allowing better financial modelling and planning
* enabling monitoring of selected protected characteristics

The personal data may include identifiers such as:

* Name
* Date of birth
* Staff number (staff only)
* Address
* Telephone/mobile numbers
* Email address (where provided)
* National insurance number
* Bank details, pension information and payment records
* Next of kin and GP contact details
* Application forms and references
* Performance reviews
* Training records
* Attendance records
* Medical records
* Equality information
* Complaints, investigations and disciplinary procedures
* Conflicts of interest
* Trade union membership (where appropriate)
* Photographs (for staff ID)

NISQ will not share information about you with third parties without your consent unless the law allows or requires us to. We are required to share some of your personal data with:

* The Department of Education
* Her Majesty’s Revenue and Customs

**17. Managing your personal information with us**

You control the personal data you share with us and the accuracy of your information is important to us. When you use our services, we aim to give you ways to access and update your personal information through the systems you use. If an electronic service does not exist, please email admin@nisq.uk and we will update as soon as possible. We aim to maintain our services in a way, which protects information from accidental or malicious destruction. After you delete information from our services, we may not immediately delete residual copies from our active servers and may not remove information from our backup systems. You have the right to ask for a copy of the information NISQ hold about you. We will provide this information, free of charge, in line with the GDPR timescales of one month.

**18. Changes to the Privacy Notice**

From time to time, our Privacy Notice may change. This will not reduce your rights under this Privacy Notice without your explicit consent. We will post any privacy notice changes on our website and, if the changes are significant, we will provide a more prominent notice (including, for certain services, email notification of privacy notice changes). We will also keep prior versions of this Privacy Notice in an archive for you to review.

**19. Contacting us**

Please do not hesitate to contact NISQ about any matter relating to this Privacy Notice.