



NiNe Training Limited

NINE Privacy and Retention Policy 2023

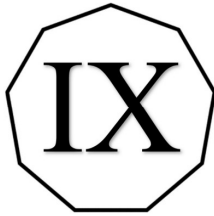
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1. Privacy Notice – Introduction:

The learning programme you (or your employees) are about to enrol on is funded either directly by the Welsh Government (WG) or part funded via the European Social Fund (ESF) approved operations (through the Welsh Government).

Your participation in the programme is dependent on you providing personal data. The legal basis we rely on to process your personal data is article 6(1)(e) of the General Data Protection Regulation. This allows us to meet our legal duties and administer and monitor the funding we provide. Where you provide special category information, such as ethnicity, this will be processed for reasons of substantial public interest (under article 9(2)(g) and statistical purposes (under article 9 (2)(j)). A full list of special category data can be found in Part Two/Full Version of the privacy notice.

The Welsh Government will be the data controller for the personal information you provide. Other information will be kept by NINE to administer the programme.

If your programme is ESF funded, you will be asked by your learning provider to supply additional evidence such as a passport, recent payslip, or qualification certificate. Your learning provider will cross check the authenticity of evidence provided against online agencies. This information will be retained as per the timescales detailed within section 3. A copy of this evidence will be kept by your learning provider for ESF audit purposes, and a sample of learner evidence across providers will be sent to Welsh Government.

For a full list of personal and special category data used by the Welsh Government please click here for the full privacy notice www.wales.gov.uk/llwr

1.1 What will the Welsh Government and NINE use your information for?

The Welsh Government and NINE uses your data for funding, planning and policy development as well as monitoring learner outcomes (such as achievement of qualifications, learner progress and destinations).

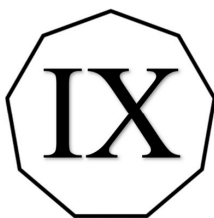
Additionally, your data will be used in official statistics and research about post-16 learning, including how health and individual circumstances affect the educational outcomes of learners in Wales. Our official statistics reports give an overall picture of learners in Wales, what they study, their achievements and their destinations after they leave learning. They include, for example, information on patterns in learners' gender, ages, and the qualifications, subjects and levels they are studying. Individual learners cannot be identified in these publications.

As part of Jobs Growth Wales Plus (JGW+) employment strand, data will be used to determine Welsh Government wage rate subsidy payments whilst during the period of employment, to ensure the correct wage is being paid for the participant. Employer data will also be used to support, monitor and determine the destination of those participants through employment.

Research organisations will also use post-16 learner data to evaluate Welsh education policies and programmes. As part of these evaluations, they may also conduct optional learner surveys, which will assess the impact of a programme on the individual learner as well as contribute to future Welsh Government policy development; for example, establishing how much apprentices are paid, which then contributes to developing a national minimum wage policy.

In order for the Welsh Government to evaluate the impact of its programmes on certain groups of learners, we will link your data with other educational records we hold, such as the Pupil Level Annual Schools Census, Welsh Examinations Database and Higher Education Statistics Authority. We use this linked data to help us understand the progress and outcomes of learners in Wales, to inform our research, performance measures and statistical publications. We may also share this linked data with researchers and with our partners, including Estyn and Qualifications Wales, to help them carry out their own data analysis to inform inspections and reviews. Individual learners cannot be identified in the linked data we share with our partners.

For a more detailed list of how your data is used, please refer to Part Two/Full Version of this privacy notice.



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Who the Welsh Government shares your data with and why.

Please go to <https://gov.wales/lifelong-learning-wales-record-privacy-notice-2020> for the Part Two/Full Version of the privacy notice for a complete explanation of who we share your data with and why.

2. Your rights and choices under the General Data Protection Regulation (GDPR) include:

Access the personal data the Welsh Government and NINE holds on you.

Require the Welsh Government and NINE to rectify inaccuracies in that data.

Object to processing on grounds relating to your situation (in some circumstances).

Restrict processing (in some circumstances).

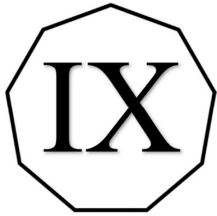
Have your data erased (in certain circumstances).

Lodge a complaint with the Information Commissioner's office (ICO) who is the independent regulator for data protection.

3. How long will the Welsh Government and NINE keep your information?

Data Type	Data Retention Period	Data Uses
Further Education and Adult Community Learning	Your data will be deleted after 10 years	This enables the Welsh Government to analyse Learner data and create reports over a period. These reports can be used to help inform policy decisions or to forecast future funding.
Apprenticeship Commissioning Programme (ACP)	Your data will be deleted 10 years after the end of the contract period	
Jobs Growth Wales Plus (JGW+)	Your data will be deleted after ten years	Where learning is ESF funded, data is kept so that it can be checked and audited. The timescales for keeping data are decided by the European Union.

Your data will be kept for a longer period for statistical and research purposes.
Records of WBL will be kept for a minimum of 3 years and records of any examinations undertaken as part of the framework will be kept for a minimum of 2 years.
Arrangements for retaining records of internal assessments will be kept for a minimum of 12 months from certification date.



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4. **Contacts:**

For further information about the information which NINE holds and its use, or if you wish to exercise your rights under the GDPR, please see contact details below:

FAO: Directors
NiNe Training Limited
Floor 1, Headmasters Office
Giants Grave Road
Briton Ferry, Neath
Neath Port Talbot
SA1 2ND

info@nine-training.com

For further information about the information which Welsh Government holds and its use, or if you wish to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer
Welsh Government
Cathays Park CARDIFF
CF10 3NQ

dataprotectionofficer@gov.wales

To contact the Information Commissioner's Office, please see details below:

Wycliffe House
Water Lane
Wilmslow Cheshire
SK9 5AF

029 2067 8400 (Wales helpline) or 0303 123 1113 (UK helpline) <https://ico.org.uk/>

5. **Notifications of changes:**

This Privacy notice was last updated in July 2023 and we keep it under regular review to make sure it is up to date and accurate. We will always notify you of changes to the use of your data via this Privacy notice and your provider. All the Welsh Government's processing will comply with data protection legislation.

If you prefer not to supply your special category data at any time, you must contact your learning provider who will update your record.

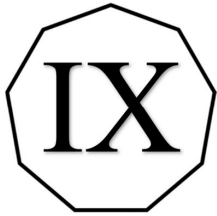
Lifelong Learning Wales Record (LLWR) Privacy notice Part Two (Full Version)

It is mandatory that the LLWR Privacy Notice is seen by each learner during the enrolment process and for those learners that are currently in learning.

6. **What personal information about you is collected and used by the Welsh Government?**

Personal data is collected by providers about you and sent to the Welsh Government for the LLWR, the data collection system for Further Education, Adult Learning, Apprenticeship Commissioning Programme and Jobs Growth Wales Plus. As defined in the General Data Protection Regulation, your personal data is your:

- Unique learner identifier (created by the Welsh Government)
- Learner Identifier number (created by your learning provider)
- Surname
- Forename(s)
- Address



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- Postcode
- Telephone number
- National Insurance Number
- Gender
- Surname at 16
- Date of birth
- National identity
- The last school you attended.
- The year you left school.
- A unique learner number (created by the Learning Records Service)
- Whether you are a migrant worker
- Learning Difficulty or Disability indicator
- Postcode (at start of learning programme)

The Welsh Government also processes special category data on learners':

- Ethnicity
- Disability type
- Health condition Providing this data is optional.

Please see Annexe A for a list of the non-personal data fields Welsh Government collect.

7. How will your data be used by the Welsh Government and NINE internally?

In evaluations of programmes and projects, to inform decision on future policies for post 16 learning.

To measure the outcomes of post-16 learning, including learners' achievement of qualifications, progress, and destinations.

To allocate and monitor funding of post-16 learning, including learning which is jointly funded by European Social Fund approved operations.

By Welsh Government auditors, who check data monthly to ensure that work-based learning providers are delivering what's outlined in their contract or funding agreement with the Welsh Government.

To promote equality and diversity on post-16 learning across Wales, to help ensure that we comply with the Equality Act 2010.

To produce anonymous official statistics on post-16 learning in Wales

8. How will your data be used by the Welsh Government and NINE and by whom externally?

The Welsh Government links your data internally and with external government bodies such as the Department for Work and Pensions, to evaluate the impact of learning programmes such as apprenticeships.

By research companies commissioned by the Welsh Government to undertake evaluations of programmes such as Apprenticeships and Traineeships. This may include contacting learners past and present to take part in surveys, although you will always have the option to take part or not in the survey if contacted.

By the Office for National Statistics (ONS), to publish aggregate statistics related to the economy, population and society at UK, Wales, and local levels. These statistics will be published in a manner that ensures it is not possible to identify individuals. The ONS will also use the data to undertake research, or to make de-identified data available to approved researchers (as defined in the Digital Economy Act), through their secure research environment. These research projects may involve linking data to other data sources to help understand the interaction between the education system and other issues such as health, well-being, or the economy. Again, the research will be undertaken in a manner that includes checks being carried out to make sure that identities are not revealed by the results of the analysis.



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By Digital Health and Care Wales (DHCW), who will work with a Secure Research Environment, to link your data with other anonymised information about you which is available to the Welsh Government, the NHS and other public organisation, making sure that identities are not revealed by the results of the analysis.

By Swansea University, a Secure Research Environment where research can be done using anonymised information and where checks are carried out to make sure that identities are not revealed by the results of the analysis. Your name, address and postcode will remain separate from your data at all times and will not be available in the Secure Research Environment. The information is used for statistical and research purposes only. An example of the key research questions that are answered by this work is how health and individual circumstances affect the educational attainment of learners in Wales.

By Qualifications Wales to undertake analysis of learner numbers at qualification and sector levels, to help inform sector reviews of qualifications. <https://www.qualificationswales.org/english/>.

By Estyn. Learner number data is analysed and used by Estyn inspectors as part of their inspections of learning undertaken in further education institutions, work-based learning providers, and adult learning providers. <https://www.estyn.gov.wales/language>

By HMRC to identify underpayment for Apprentices in Wales. Your data will be used to identify apprentice status and age which will be used to assess your National Minimum Wage entitlement.

By the UK Government Department for Education, to link learner records to employment, earnings and benefits records held by the Department for Work and Pensions, to identify and analyse the destinations of learners into further learning and/or employment once they have left learning.

Welsh Government will analyse this linked data internally and will also share it with public bodies such as Estyn, Qualifications Wales and HEFCW or third party research organisations such as universities or independent social and economic research companies. When linked data is shared it will be used to assess the effectiveness of the policy in education and training – for example looking at how many people with particular qualifications go on to get specific jobs, comparing outcomes for people who go to different education or training providers or seeing whether particular schemes have achieved what they were supposed to achieve.

By IFF Research who undertake research surveys to provide an up-to-date picture of the pay of the apprentice population in the Wales and across Great Britain and to assist with the development and monitoring of apprenticeship and national minimum wage policy. <http://www.iffresearch.com/>.

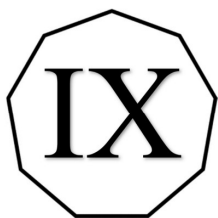
By KPMG, PwC, BTP Associates Ltd, Mazars and RSM UK, auditors of further education funding who ensure the Welsh Government can assess whether data returned by institutions are a reliable basis for making funding decisions. <https://home.kpmg/uk/en/home.html> <https://www.pwc.com> <http://btpassoc.co.uk> <https://www.mazars.co.uk> <https://www.rsmuk.com/>

By Careers Wales to meet its objective of providing support to specific groups of individuals who are at a high risk of becoming disengaged from education, employment, and training. To achieve this, LLWR data will be used to match to existing active Careers Wales client records. This means that some of the non-personal information provided to Careers Wales will be available to Careers Wales on a day-to-day basis. This will include course information, start date etc; Details of how Careers will use your information can be found in their privacy notice. <http://www.careerswales.com/server.php?show=nav.7581>

* The processing of personal data in such a way that the data can no longer be attributed to a specific learner without the use of additional information.

The following third-party contractors carry out data matching and analysis on behalf of the Welsh Government:

- London Economics Ltd matches together the same learners that appear in separate educational datasets (the Pupil Level Annual Schools Census, Welsh Examinations Database, Post-16 Collection and Higher Education Statistics Authority data) which in turn is used by Welsh



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Government to understand learners' progress through the education system, and their destinations once they leave learning. <https://lond1conomics.co.uk/>

The sharing of learner data with third party contractors is always governed by strict requirements of confidentiality and security, and contractors carrying out research and evaluations on our behalf must comply with the Government Social Research Code.

Data Sharing Agreements

The Welsh Government has a formal data sharing agreement in place whenever we share your data with a third party. Part of the agreement means the third party will have to sign a confidentiality agreement in relation to your data to show that they operate satisfactory information security procedures, that they will only use your information in prescribed ways and that they will destroy their copies of your data when it is no longer needed.

Security Arrangements for your data held by the Welsh Government

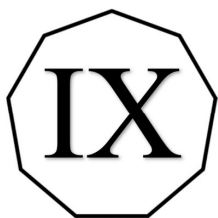
The data the Welsh Government collects about you will be stored in an access controlled secure database, which is regularly tested for safety and integrity.

Summary of changes to the LLWR Privacy Notice between version 6.0 and 7.0

- ONS wording has been updated.
- HMRC has been added to the privacy notice.
- Special Category lawful basis has been changed.

Annexe A

Non personal data	Notes
Accreditation of prior experiential learning indicator	Recognises the skills and knowledge that the learner has already achieved towards a qualification.
Actual Asynchronous Hours	
Actual Synchronous Hours	
Actual work or centre based hours	Records how much time the learner has spent learning at an employer or at a college or other learning centre
Amended work or centre based guided contact hours	
Assessable learning	Whether learning is assessable, allowing identification of learning activities which should have linked awards (qualifications)
Attainment indicator	
Award credit level/value	
Award entry identifier	Identifier for each award entry for this learning programme
Award learning aim reference	Identifier for learning activity drawn from Qualifications Wales or a Welsh Government defined generic code
Caring Responsibility	Records whether ESF-funded learners have caring responsibilities
Completion status	
Country of Domicile	
Credit level/value of learning activity	
Date commenced and terminated learning activity/programme	
Destination within three months of leaving	
Employer name/postcode	
Employment status at start of programme/before learning	
Employer ID	A unique ID allocated to the Employer by the Lead Contractor
Expected Asynchronous Hours	



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Estimated Work /Centre Based Hours	Records an estimate of how much time the learner is likely to spend learning at an employer or at a college or other learning centre
Expected Synchronous Hours	
Expected end date of learning activity	
Furlough Indicator	
Hours worked per week	
Household Status	Records whether ESF-funded learners are from jobless households
Immediate Destination	Destination of learner within four weeks of leaving the programme
Individual development plan indicator	Records whether a learner has an individual development plan (IDP)
JGW+ activity descriptors	Records the activity descriptions for learners on the JGW+ programme
Learner Provision Funding	
Learning aim reference	Identifier for learning activity drawn from Qualifications Wales or a Welsh Government defined generic code
Learning Programme Code/activity reference used by provider	
Learning Programme Expected End Date	
Learning programme identifier	
Learning Reference used by provider	
Length of employment with same employer	
Level of highest qualification achieved prior to learning programme	
Learning Difficulty or Disability indicator	
Major source of fees	
Method of delivery	Records whether learning is delivered in classrooms, in the workplace or in other ways
Postcode (at start of learning programme)	
Programme Start Date	
Proportion of learning activity delivered through the medium of Welsh	
Provider delivering learning	
Reason for termination of learning programme	
Result and date of result	
Sector framework codes	
Size of employer/Small to Medium Enterprise (SME) code	
State aid	
Subcontractor delivering programme	
Subject of learning/title of award/learning activity	
Total fees paid for learning programme	
Type of highest Welsh qualification achieved prior to learning programme	
Type of learning programme/activity/award	
Type of Welsh medium learning	
Unitary authority code	
Welsh speaker indicator	
Work or centre based guided contact hours	Records how much time the learner is likely to spend learning at an employer or at a college or other learning centre