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ORIGINATOR	PATRICIA MALLALIEU
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Data Protection & Confidentiality Policy

Be Inspired Training Ltd aims to promote the higheststandards of confidentiality and data protection throughout its organisation.

Be Inspired Training Ltd Data Protection Policy

1.Policy Statement

Be Inspired Training Ltd takes all appropriate steps to ensure that all personal data is defined and regulated by the Data Protection Act (DPA) 1998. The Act is based on 8 principles that explain how personal data should be used. Compliance with these principles ensures data is secure, well managed, accurate and available. Personal data may be obtained, used, shared and kept to provide services, look after people's interests, and support Be Inspired Training Ltd's objectives. Data Protection supports efficient working and reinforces the Collaborative Contracting Consortium's objective to provide appropriate and personalizedservices. This policy sets out how the Act applies to Be Inspired Training Ltd, and sets out some specific measures to assist compliance. The eight Data Protection Principles are:

1. Personal data must be processed fairly and lawfully.
2. Personal data must be processed only for limited purposes.
3. Personal data must be adequate, relevant and not excessive.
4. Personal data must be accurate and kept up to date.
5. Personal data must not be kept for longer than necessary.
6. Personal data must be processed in accordance with the rights of data subjects.
7. Personal data must be protected by appropriate security.
8. Personal data must not be transferred to other countries without adequate protection. Data is defined as any personalized information held in any form – be it electronic or paper based and the DPA relates equally to all forms. Be Inspired Training Ltd is

committed to ensuring that all processing of personal data complies with these principles.

2. Scope

All Be Inspired Training Ltd staff and sub-contractors will:

Ensure that all relevant staff attends training on data protection.
Inform Be Inspired Training Ltd of any new services, projects and processes involving the use of personal data, or of significant changes to existing ones.
Report all losses, thefts or breaches of security involving personal data to Be Inspired Training Ltd.
Notify Be Inspired Training Ltd of all data or information sharing agreements or protocols.
Participate in data audits.

3. Applying Legislation, an Individual's Responsibility

The Be Inspired Training Ltd holds information about customers and employees. Everyone who works for or represents Be Inspired Training Ltd must protect the personal data that they use and be aware of their obligations. The use of personal data must be fair, legal and proportionate. Staff must not use personal data obtained at work for their own purposes. It is a criminal offence knowingly or recklessly to disclose personal data without Be Inspired Training Ltd's permission. Anyone who uses, discusses or discloses personal data held by the Be Inspired Training Ltd Collaborative Contracting consortium without lawful authority may commit this offence. Staff who knowingly disclose or misuse Be Inspired Training Ltd's data for their own purposes, or who knowingly ignore the requirements of this policy will face disciplinary action in line with the company's procedures, regardless of any possible criminal sanction. This could lead to dismissal in some cases.

4. The Guidance *4.1 Awareness & Training*

We will promote the need to respect privacy and confidentiality so that people remain confident about using Be Inspired Training Ltd's services. People must be told how we will use their data, so that they are not reluctant to provide it to us.

4.2 Obtaining information

People must be informed when we record information about them, unless there is a specific legal reason for not doing so. Any process involving the collection and use of personal data must conform to the DPA principles. All staff must ensure that the use of personal data meets these conditions.

4.3 Application forms and tools to gather information

Any form or process designed to gather information must include a simple explanation about why personal data is needed, and what we will do with it. This 'fair processing notice' (as directed by the Data Protection Act) must also spell out whether data will be shared. Existing forms or methods of collection without fair processing information must be amended to do so.

4.4 Record keeping

Be Inspired Training Ltd have put in place adequate records management procedures, including measures to ensure that working records about people are fair, accurate, up-to-date and not excessive. Records about people must be secure, traceable and accounted for at all times. Each department must ensure that its records comply with the Be Inspired Training Ltd's Records Management Policy which should contain a retention and disposal schedule. Records must be disposed of securely in accordance with the disposal schedule within the Policy. Records management procedures, including retention and disposal, apply equally to paper and electronic records including emails. Managers will regularly need to assure themselves that they are compliant with statute and policy.

4.5 Need to know

Access to personal data must only be available to those who need it, in line with fair processing principles. Data should be used when necessary and not purely because it is convenient to do so. Each Be Inspired Training Ltd is responsible for restricting access to personal data and ensuring compliance. This must apply to all staff. All access to systems containing personal data must be logged. There must be a facility to log & record when a member of staff is given the right to access data and when they do access it.

4.6 Physical security Be Inspired Training Ltd must be notified of any actual loss, theft or accidental disclosure of personal data. All premises and electronic systems where personal data is held must have adequate security. Access to areas where information is held should be controlled, paper files containing personal data must be locked away when not in use, and computer data must be protected by adequate security measures. Access to data should be restricted to authorized staff only; such staff should receive training on the security of the system prior to being allowed access to it. Electronic data must only ever be stored on official servers. If this is impractical, data must be only stored in locations agreed by the Be Inspired Training Ltd Management Team.

All valuable files, client personal information and documents must be stored on the appropriate server on the Be Inspired Training Ltd's network and not on desktop PCs or laptops or other electronic storage devices. Information stored on desktop PCs, laptops, etc. is at risk of loss through hardware or software failure or automated administrative activity, or loss or theft of equipment.
Where information is gathered and recorded through mobile working then staff should download the data onto the appropriate network server as soon as possible.

Personal Data should not be stored on unencrypted devices. Any such temporary storage must have a risk assessment prior to data being stored, which should be logged.

If in exceptional circumstances data is not stored on the network then it is the responsibility of users to ensure that the data is secure and appropriate back-up procedures are operated. All staff must ensure that when dealing with customers they should not have access to screens or data on which other clients records are displayed or can be seen.

Care should be taken if personal data is used outside the office environment, whether it is on paper or in a computer file. Data must only be stored on devices or equipment that are under the Be Inspired Training Ltd's control, or which have been approved and are encrypted.

Data must not be stored on any equipment owned by members of staff including, but not limited to, mobile phones or PDA's, MP3 players, cameras, memory sticks, home computers or laptops.

All data, physical or electronic, must be disposed of securely, in accordance with the Be Inspired Training Ltd's records management policy.

4.7 Validating requests for information

Departments must understand the legal framework that affects their work, so that they know when they have the power or the obligation to disclose information to other organizations e.g. the Skills Funding Agency or members of the public, and to obtain it from them. If a request for personal data is made to a Be Inspired Training Ltd, the responsible manager must raise the proposal to the Senior Management Team who will help them determine the appropriate response to the request and ensure that the correct information is released only where appropriate & legal to do so – in an agreed & secure format.

4.8 Security of transfer
Information should be shared by the most secure method available; this will mean using an 'encrypted' approved email system for electronic transfers of personal data. Any data remains the responsibility of the Be Inspired Training Ltd staff who transfer it at all times and all are equally responsible for its continued, safe use. If email is considered to be the best option, staff must use the correct email address and be aware that email inboxes may be monitored by managers or others who may not be entitled to access personal data. Sensitive data should not be sent by email unless steps have been taken to ensure that the recipient is not forwarding mail to another inbox, or that the inbox is not being monitored. Personal data should not be sent via fax or any other unsecure means without adequate protection being put in place and agreed. Data transported outside of the training centre must be done so in a secure manner – all efforts must be taken to ensure it is stored securely and that the risk of theft or loss is minimized, including the use of lockable storage, briefcases and boxes at all times. No data, whether electronic or paper, must be left unattended at any time – i.e. in cars or on public transport.

4.9 Information-sharing agreements An information-sharing agreement or protocol is not a legal requirement to share information – sharing can happen without one. An agreement does not create a legal gateway if one does not already exist, however the use of a protocol will ensure best practice by all partners in any information sharing partnership. Any information sharing should be carried out using a risk assessment process.

4.10 Contracts
Ifa contract or agreement involves the sharing of personal data, the contract should include measures to ensure that the data is used safely and appropriately. Information supplied to contractors can only be used for agreed purposes, and must not be used or disclosed for any other reason without further consultation with Be Inspired Training Ltd.

4.11 Access to personal data
Staff will only assist customers to gain access to data that we hold about them, as detailed in our Privacy Policy. This might be by providing access to files, by advising them about the Be Inspired Training Ltd's procedures, or by referring requests for access to Be Inspired Training Ltd.

4.12 Complaints about personal data
Ifany person identifies errors or inaccuracies in the data we hold about them, or points out unfair uses of their data identified by requesters as a result of access to their files, these must be rectified immediately (once verified). Be Inspired Training Ltd must keep records of such complaints and notify Be Inspired Training Ltd of any unresolved disputes.

4.13 Data Protection officer and network There is a legal requirement for Be Inspired Training Ltd to have a nominated member of staff with specific responsibility for data protection policy, advice, training and good practice. This will be the CEO or their nominated representative.

4.14 Induction Information about confidentiality and data protection must be provided to all new members of staff and customers prior to them having access to a Be Inspired Training Ltd's network and any personal data. Basic guides to all data protection issues are available on government websites.

4.15 Confidentiality
Information explicitly accepted in confidence or as part of a confidential relationship can only be disclosed to someone else in exceptional circumstances. Employees must not disclose confidential information to anyone else without the permission of the individual who first gave the information to them, unless the information is about serious wrong-doing or harm. All staff have a duty to report any criminal activity or wrong doing to the proper authorities if they become aware of them. Training 2000 operates a Whistle Blowing Policy, which provides further advice on what to do in these situations; this can be found on Training 2000's intranet.

4.16 Monitoring and evaluation
Be Inspired Training Ltd will periodically commission audits of Be Inspired Training Ltd to ensure that the Collaborative Contracting Consortium complies with the Data Protection Act.

4.17 Review of this policy Thispolicy will bereviewed, at least, on a two yearly basis to ensure that it takes account of new legislation and expected developments in the areas of personal privacy and data sharing.

Welcome Pack statement to Learners

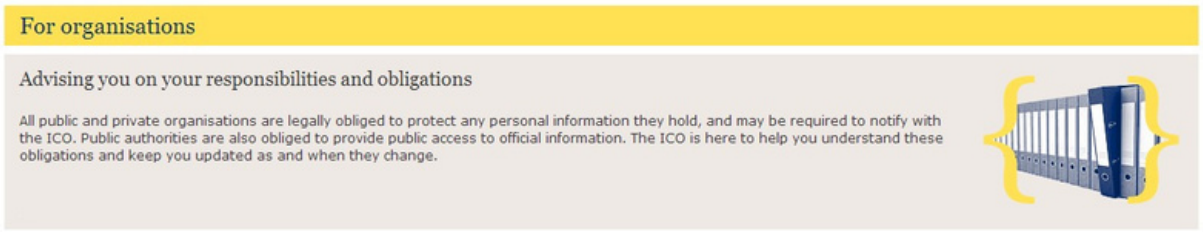
BeInspired Training Ltd is required by the qualification Awarding Bodies to maintain adatabase of learners for regulatory, auditing, and quality assurance purposes.

*This information is strictly protected in accordance with the **Data Protection Act 1998** and the **Information Commissioner's Office** guidelines including password protection and staff restrictions on data access.*

www.ico.gov.uk

Confidentiality

Be Inspired Training Ltd will never sell, market, distribute or give access to any information that it is required to hold. This information is only available to authorized personnel during specified audit and quality assurance meetings as required by Awarding Bodies.



Learners may need to speak to tutors, assessors, teachers or advisory staff from time to time. All one to one conversations are treated in the strictest confidence and no information will be passed on to third parties without the express permission of the learner.

The only exception to this is where Be Inspired Training Ltd staff may consider that the information given may be of a nature that it is relevant to a criminal offence or the potential for a criminal offence to be committed. Be Inspired Training Ltd actively encourages all learners to speak to our qualified advisors if there are any issues or potential problems that may be encountered in terms of the records and information we are obliged to hold with regard to our employees and Learners.