

# Instep's Privacy Notice

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## Introduction

Instep is committed to data security and the fair and transparent processing of personal data.

This privacy policy (Policy) sets out how Instep treats personal data. Please read this Policy carefully as it contains important information on who we are, how and why we collect, store, use and share your personal data, your rights in relation to your personal data, how to contact us, and how to contact the regulator in the event that you would like to report a concern about the way in which we process your personal data.

## Who are we?

For the purposes of UK Data Protection legislation (The Data Protection Act 2018 and the applied UK General Data Protection Regulation – UK GDPR) Instep UK Ltd is the controller of personal data. Our registered address is Somerford Business Court, Holmes Chapel Road, Congleton, Cheshire CW12 4SN (Company Registration No. 3789359). We are registered with the UK regulator for data protection matters, the Information Commissioner's Office (ICO) – registration number Z5795973.

## Personal Data we Process.

We will process your personal data when you:

- complete a form on our Website;
- complete a survey;
- correspond with us by phone, e-mail, or in writing;
- report a problem;
- sign up to receive our communications;
- create an account with us;
- enter into a contract with us to receive products and/or services,

In each case we will typically collect your name, e-mail address, postal address, telephone number and job role.

## Personal Data we Collect about You

If you visit our website, we may automatically collect the following information:

- technical information, including the internet protocol (IP) address used to connect your computer to the Internet, login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform;
- information about your visit to our Website such as the products and/or services you searched for and view, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page.

## Personal Data we Receive from Other Sources

If you are a tutor, apprentice, or learner, we may also receive information about you from your centre, training provider, or employer when they register to receive products and/or services from us.

If you are an apprentice or learner then we are processing personal data on behalf of your employer and the Education and Skills Funding Authority (ESFA). In these instances we act as a Data Processor under instructions from your employer or ESFA who are the Data Controllers and who you should contact with any questions regarding the processing or if you wish to invoke your rights under UK GDPR.

## Special Category Data

Some personal data warrant additional protection, for instance data relating to race or ethnicity, health related data, data relating to religious or political beliefs and data related to sex and sexuality. We do not routinely process Special Category Data about you, however if we do determine a need to do so we will only do so on the basis of your explicit consent.

## Lawful Basis for Processing

Under UK GDPR we must inform you of our lawful basis for processing your personal data. The following table shows the various purposes and their associated lawful bases:

Purpose	Lawful Basis
Managing your enquiry when you complete a form on our website, contact us via phone, email or post, or complete a survey,	Processing is in our Legitimate Interests – specifically that we need to respond to your enquiry and maintain a record of our correspondence with you
Managing your complaint when you report a problem to us	Processing is in our Legitimate Interests – specifically that we need to respond to your complaint, diagnose and correct identified problems, and maintain a record of this activity
Sign up to receive our marketing communications	Consent – you have chosen to opt-in to marketing communications
Other direct marketing activity	Processing is in our legitimate interests – specifically B2B direct marketing of our services to you
Managing our contract with you as an individual	Processing is necessary to perform our contract with you, or to take the steps necessary to enter into a contract
Managing our contract with your organisation	Processing is in our Legitimate Interests – specifically to enable us to manage the contract between our organisations
Analytics	Your consent if we are deploying cookies to collect data from your device, or read data held on it.

	Our Legitimate Interests when we are otherwise analysing data already held – specifically our need to develop and improve our service offering
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**NOTE:** you have the right to object to the processing of your personal data on the basis of legitimate interests as set out below, under the heading Your Rights.

## Who do we share your Personal Data With?

We take all reasonable steps to ensure that our staff protect your personal data and are aware of their information security obligations. We limit access to your personal data to those who have a genuine business need to know it.

We may also share your personal data:

- Where we are acting on a legitimate request from law enforcement authorities;
- Where we are obtaining legal and other professional advice;
- Where we use third party service providers contracted to us in connection with provision of the products and services such as providers of IT services and customer relationship management services; and
- analytics and search engine providers that assist us in the improvement and optimisation of our Website.

Where required we will ensure there is a contract in place with the third party which meets the requirements of UK GDPR.

Where a third-party recipient is located outside the UK we will ensure that the transfer of personal data will be protected by appropriate safeguards; namely the use of standard data protection clauses adopted or approved by the ICO where the ICO does not believe that the third country has adequate data protection laws.

## Retention of Personal Data

Where there is a contract with you as an individual or there is one between our two organisations, we will retain your personal data for the duration of the contract, and for a period of seven years following its termination or expiry, to ensure we are able to comply with any contractual, legal, audit and other regulatory requirements, or any orders from competent courts or authorities.

Where you have consented to marketing communications, or where we are marketing to you because it is in our legitimate interests to do so, you may change your preferences or unsubscribe from marketing communications at any time by emailing [Learnervoice@instepuk.com](mailto:Learnervoice@instepuk.com). We will not delete your personal data at this time but will ensure you details are updated to comply with your wishes.

## Ensuring the Security of Personal Data

We take appropriate technical and organisational steps to protect your personal data from loss, destruction, unlawful access or unlawful alteration. We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so. Where you have a username or password (or other identification information) which enables you

to access certain services or parts of our Website, you are responsible for keeping this password confidential. We ask you not to share a password with anyone. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your personal data transmitted to our Website; any transmission is at your own risk. Once we have received your personal data, we will use strict procedures and security features to try to prevent unauthorised access.

## Your Rights

Under the GDPR, you have various rights with respect to our use of your personal data:

### *Right to Access*

You have the right to request a copy of the personal data that we hold about you by contacting us at the email or postal address given below. We may need to ask that you verify your identity to us. We will provide you with a digital copy of your personal data by default, however if you would prefer a printed copy then please let us know. We will provide your personal data within one month of the receipt of your request, or the validation of your identity. Occasionally we may need to take longer to fulfil your request but we will inform you of this and our reasons for requiring the extra time.

In addition to the personal data we will also provide copies of the Privacy Notices which were applicable at the time of processing.

We will not charge you for supplying you with a copy of your personal data.

Please note that there are exceptions to this right. We may be unable to make all information available to you if, for example, making the information available to you would reveal personal data about another person, if we are legally prevented from disclosing such information, or if your request is manifestly unfounded or excessive.

### *Right to Rectification*

We aim to keep your personal data accurate and complete. We encourage you to contact us using the contact details provided below to let us know if any of your personal data is not accurate or has changed, so that we can keep your personal data up-to-date.

### *Right to Erasure*

You have the right to request the deletion of your personal data where, for example, the personal data are no longer necessary for the purposes for which they were collected, where you withdraw your consent to processing, where there is no overriding legitimate interest for us to continue to process your personal data, or your personal data has been unlawfully processed. If you would like to request that your personal data is erased, please contact us using the contact details provided below.

### *Right to Object*

In certain circumstances, you have the right to object to the processing of your personal data where, for example, your personal data is being processed on the basis of legitimate interests and there is no overriding legitimate interest for us to continue to process your personal data, or if your data is being processed for direct marketing purposes. If you would like to object to the processing of your personal data, please contact us using the contact details provided below. We will give due consideration to your objection and inform you whether we agree with it or not. If we do not uphold your objection we will tell you why.

## ***Right to Restrict Processing***

In certain circumstances, you have the right to request that we restrict the further processing of your personal data. This right arises where, for example, you have contested the accuracy of the personal data we hold about you and we are verifying the information, you have objected to processing based on legitimate interests and we are considering whether there are any overriding legitimate interests, or the processing is unlawful and you elect that processing is restricted rather than deleted. Please contact us using the contact details provided below.

## ***Right to Data Portability***

In certain circumstances, you have the right to request that some of your personal data is provided to you, or to another data controller, in a commonly used, machine-readable format. This right arises where you have provided your personal data to us to perform a contract with you as an individual, or the processing is based on your consent, and processing is carried out by automated means. If you would like to request that your personal data is ported to you or another controller, please contact us using the contact details provided below.

Please note that the GDPR sets out exceptions to these rights. If we are unable to comply with your request due to an exception we will explain this to you in our response.

## ***Rights Relating to Automated Decision Making***

In certain circumstances, you have the right not to be adversely impacted by automated decisions. This right does not apply when we are processing data in accordance with a contract with you as an individual. You also have the right to have the methods and logic of the automated system explained to you. We do not currently deploy any automated decision making as a data controller, but if that should change we will provide information about this within this Privacy Notice.

Please note that the GDPR sets out exceptions to these rights. If we are unable to comply with your request due to an exception we will explain this to you in our response.

## **Contact**

If you have any queries about this Policy, the way in which we process personal data, or about exercising any of your rights, you may contact us by sending an email to [gdpr@instepuk.com](mailto:gdpr@instepuk.com) or writing to Data Protection, Instep, Somerford Business Court, Holmes Chapel Road, Congleton, Cheshire CW12 4SN.

## **Complaints**

If you believe that your data protection rights may have been breached, and we have been unable to resolve your concern, you have the right to lodge a complaint with the ICO. Their details are available online here <https://ico.org.uk/make-a-complaint/> or they can be contacted on 0303 123 1113.

The ICO will normally request that you discuss your complaint with us first.

## **Changes to our Policy**

Any changes we may make to our Policy in the future will be captured in the updated version placed on the website. Please check back frequently to see any updates or changes to our Policy.