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Administration and data protection

Section 8 – Administration

This administration policy is provided to protect the administration resources of New Links Training Solutions Ltd In compliance with the Qualifications and Quality Assurance (Education and Training) Act 2012 and other legislative guidelines as outlined in this document. This policy outlines a variety of business-critical tasks and the procedures for completing these tasks. The policy also indicates administration duties and information sensitivity especially in relation to privacy and data protection. All administration duties must be performed in a professional manner and in compliance with the terms and conditions dictated by:

- Internal Quality Assurance procedures
- Contracting agreement/s
- Mandatory compliance from external bodies

S8. 1 Handling Client Information

The following outlines NLTS policy on handling client information with special emphasis on record keeping and confidentiality

- To enable trainers/tutors to understand and integrate the principles of best practice in relation to record-keeping on a day-to-day basis.
- To ensure continuity and quality of service provision to learners and stakeholders by increasing the level of communication between New Links Training Solutions, it's staff and its associate trainers.
- To provide clarity in relation to NLTS confidentiality policies and procedures.
- To develop a coordinated system of record-keeping, which will protect the rights of employees, learners, associates, stakeholders, and other service users.
- To facilitate easy access to information when required.


S8.2 Freedom of Information Act 1997 & 2000

Developed to provide openness, transparency, and accountability giving individuals a legal right to:

- Legal right to access official information.
- Legal right to have information amended.
- Legal right to see decisions or information recorded (subject to exemptions)

Implications for practice:

There is a legal obligation to provide information if a person exercises their rights under the act by seeking access to their records (through official channels). See the act itself for more detail.

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Definition of a Record

A record is defined as "any memorandum, book, plan, map, drawing, diagram, pictorial or graphic work or other document, any photograph, film or recording (whether of sound or images or both), any form in which data (within the meaning of the Data Protection Act, 1988) are held, any other form (including machine-readable form) or thing in which information is held or stored manually, mechanically or electronically and anything that is a part or a copy, in any form of any of the foregoing or is a combination of two or more of the foregoing" (Freedom of Information Act, 1997).

S8.3.1 The Impact on Your Work-Record-Keeping

Record Keeping includes the following:

1. Recording of all information relating to learners in any written, recorded or electronic form.
2. Recording details of all assignments and all correspondence to and from learners.
3. Recording details of telephone conversations if relevant.
4. Recording hand over instructions between tutors.

A helpful rule of thumb is to assume that the service user/learner may read the record if he/she makes a request to do so.

- Is it objective? (No personal opinions)
- Is it fair?
- Is it relevant?
- Is it valid?
- Is it accurate?
- Can you stand over it?

No hidden agendas.

S8.3.2 Record-Keeping Best Practice


- Separate **facts** from **opinions**
- **Facts**- either observable behaviour (directly witnessed or video evidence) or verifiable facts (there is a record).
- **Opinions**- interpretations, assessments, evaluations, judgments. Opinions should be highlighted accordingly and evidence-based.
- **Accountability**-the writer of the report and the organization is accountable for all recorded information.

Case Example

Tutor writes: "I think that this is a very poorly written essay"

It could be considered merely an opinion that the essay is poorly written, however, if further detail was added then the report would contain evidence to support the claim.

Tutor writes: "This essay is poorly written – see misspellings highlighted on pages 3,4,7 & 9. See also evidence of poor grammar marked X throughout the work".

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S8.4 Guidelines for Handling & Marking Assignments


- Keep language simple and concise.
- Use the learner feedback sheet (NLTS 097) or learner meeting record (NLTS 0047) provided. (Section 6)
- Handwriting should be clearly legible.
- Never use Tippex to erase any part of an assignment or a comment that you have made.
- If you wish to erase a comment – simply put a line through it and initial same.
- Never remove any part of a student’s assignment.
- Never use any information contained within a student’s work.
- Never re-write, replace or reproduce a student’s work.
- Student’s assignments must be stored appropriately in accordance with agency policy whilst in your possession (see tutor handbook).
- When recording, either using a camcorder or tape recorder, only one student’s work should be recorded per tape/DVD.
- If a student emails a copy of their work to a trainer the trainer is advised to download the work and then delete it from the system.
- Trainers are not permitted to keep photocopies or electronic copies of students work or part of students work.
- Trainers may only show sample pieces of students work if they have been given permission (written) from that student and have advised the relevant contact person at New Links training Solutions.
- If a trainer has permission to show a sample of a student’s work he/she must ensure that all identifying information has been concealed or removed.
- All students work and any other relevant correspondence must be returned to New Links Training Solutions once it has been marked by the trainer.
- All feedback on student’s work must be requested from and provided formally to the student by New Links Training Solutions.
- Remarks/feedback on a students work should not be provided informally by trainers once the course is completed and all work has been submitted.

S8.5 Storing Students Assignments

It is vital that all confidential information relating to students and their work is stored appropriately in compliance with the legal framework and in accordance with practice guidelines (see NLTS code of practice S6.3).

S8.6 Managing Transactions

All transactions for courses must be handled directly through the administration at NLTS. Trainers, tutors or second providers are not permitted to accept payment from learners. Currently, the primary methods of payment are manual by cash, online through our website or credit card payment using a POS unit. All courses must be paid for in full prior to delivery for private bookings, there are varied payment arrangements agreed between NLTS and other organisations. Payment plans are available by mutual agreement.

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S8.7 Trainer/Tutor Responsibility

Trainer responsibility for the development and delivery of courses is outlined in the tutor handbook and all trainers/tutors must complete and return a tutor folder with assignments to NLTS at the end of a course.

S8.8 Insurance

NLTS carries its own Public liability, Employer liability, professional indemnity insurances. Subcontractors must provide evidence of their own indemnity insurance.

S8.9 Promoting New Links Training Solutions

Second provider contracts outline roles and responsibilities in relation to promoting NLTS programmes and services.

Procedural Document:

LP 009 Social Media Policy (section 1)

S8.10 Branding


NLTS has its own logo for all business documents and promotional material. The NLTS logo should only be used on official documents and promotional materials. Second providers or any other parties are not permitted to use any of the NLTS branding on email correspondence or any other form of correspondence. Only NLTS branded products are permitted to be used on all programmes, this includes:

- Branded pens, folders, training packs.
- Branded evaluation/feedback forms.
- Branded sign-in sheets.
- Upright roll up banners for promotional purposes.
- Correspondence with clients and stakeholders.

S8.11 Privacy Policy

In compliance with data protection guidelines, New Links Training Solutions has prepared the following statement outlining its privacy policy. The purpose of this policy is to demonstrate our commitment to protecting the privacy interests of our clients and website users.

Visitors can access our website and its content without providing any information about their identity. In compliance with GDPR guidelines, we will not disclose any identifiable information about any of the clients/users of our website. The only exception to this being where we use client information for the purpose of supplying the service that has been requested by the client. However, Basic customer info such as contact and financial information is required by us if you are interested in any of our courses to make a booking. We do not track our user's browsing outside of our website.

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S8. 12 General Data Protection Regulation Policy

The GDPR places direct data processing obligations on all businesses at an EU-wide level. According to the GDPR, we can only process personal data under certain conditions. For instance, the processing should be fair and transparent, for a specified and legitimate purpose and limited to the data necessary to fulfil this purpose. It must also be based on one of the following legal grounds.

1. The **consent** of the individual concerned.
2. **A contractual obligation** between ourselves and the individual.
3. To satisfy a **legal obligation**.
4. To protect the **vital interests** of the individual.
5. To carry out a **task that is in the public interest**.
6. For the company's **legitimate interests**, but only after having checked that the fundamental rights and freedoms of the individual whose data we are processing are not seriously impacted. If the person's rights override the company's interests, then we cannot process the data. <https://www.dataprotection.ie/>

Role Definitions:

Data Controller: A Data Controller is the person or organisation who decides the purposes for which, and the means by which, personal data is processed. The purpose of processing data involves 'why' the personal data is being processed and the 'means' of the processing involves 'how' the data is processed.


Data Processor: A person or organisation that processes personal data on the behalf of a data controller.

Data subject: A Data subject is the individual the personal data relates to.

It is imperative that all staff, learners and clients are aware of their rights and our response to the GDPR guidelines. The following is an overview of our policy and associated procedures:

The of Data We Collect: Personal data relates to a specific individual who may be identifiable from that data. This can include:

- Contact information such as address and phone number
- 3rd party referral
- Notes from meetings/interviews/phone calls with you
- Portfolio of your work
- Videos/photographs related to assessment and/or award ceremonies
- Compliance data for QQI and/or any other certifying body e.g. date of birth, PPS number and medical card number. This information is only recorded on the QQI Business System (Cloud-based system) to validate identities of learners as part of the certification process. New Links Training Solutions does not store this information electronically. This information is stored in learner portfolios which are stored securely until they are disposed of by a licensed document waste disposal service.

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Who will be collecting your personal data? Your personal data will only be collected by New Links Training Solutions Ltd to provide you with current or future training services.

How your data will be collected? New Links Training Solutions Ltd collects personal data directly from you when you:

- Deal with us by phone, letter, email or web
- Supply a CV or other form of application
- Subscribe to email updates
- Submit any information regarding an application or enquiry
- Complete training assessments

We may also collect personal data from 3rd parties, including Supervisors, Managers, referral agencies or the person or employer/agent who is funding your course. If collecting information from a 3rd party, we will seek your consent or otherwise make you aware of the collection and the reasons for it. All learners will complete an enrolment form which outlines our policies in relation to personal information at the start of any training programme.

What we will do with your data? New Links Training Solutions Ltd may use and disclose your personal data for the following reasons:


- To process your assessments for certification
- to market our training services to you
- to improve our customer service
- to contact you on occasion with information with progression opportunities

Unless required or permitted to do so by law, New Links Training Solutions Ltd will not otherwise share, sell or distribute any of your personal data without your consent.

QQI Certification: For QQI Courses it is necessary to collect your PPS Number and your Date of Birth for certification purposes – the following guidelines apply in this instance:

(QQI Memo 5 October 2018) - QQI has a range of statutory functions detailed in the Qualifications and Quality Assurance (Education and Training) Act 2012. One of those functions is to make awards to learners who complete a programme validated by QQI. To make these awards, QQI requires a Personal Public Service Number (PPSN), name, date of birth and relevant results of each learner. This information is transferred by the provider (New Links Training Solutions) to QQI through QBS. In this transaction, the provider is acting on behalf of the learner with whom we have entered into an appropriate legal arrangement (including consent for data collected) that permits the transfer of this data. QQI receives the data and retains it in the pursuit of its statutory function.

Restriction on the use of the Personal Public Service Number (PPSN) As stated above, QQI requires NLTS to provide it (QQI) with the PPSN of each learner enrolled on a validated programme in order for QQI to make an award to that learner, and to retain a record of each award made to each learner. QQI retains this data so that a learner can confirm with it at any point that such an award was made. We are not permitted to process this data, for example by accessing it or by storing it, except for the single purpose of registering the learner with QQI for the purposes of the making of the relevant award. The PPSN should not be processed by NLTS for any other purpose and should

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not be retained by you or in your records once used for the sole purpose for which it was collected (See Records Retention policy NLTS P104).

Your security, our priority: Our security procedures protect data from being misused, misplaced, or accessed, changed or disclosed by unauthorised people. Your data can only be accessed by authorised persons to provide you with training and training -related services. We normally retain data on our database for a period of up to 7 years. This is to allow us to provide you with a quality ongoing training service and may be a compliance requirement by an awarding body or funding authority. However, you can request removal of your data at any time.

Procedural Document:

NLTS P105 IT Systems Usage and Security

When to get in touch with us: to further ensure the integrity of your data, you can get in touch with us at any time for any of the following reasons:

- Requesting access to your data
- You may request access to any personal data New Links Training Solutions Ltd holds about you.
- Keeping your personal data up to date

To ensure that your personal data is accurate, complete and up to date, please alert New Links Training Solutions of any changes to your details. Alternatively, we may contact you from time to time. If you have any concerns about the accuracy of the data get in touch.

To request removal of your data from our database: Under data protection laws, you have the right to be forgotten. New Links Training Solutions Ltd recognises and respects this right. You have the right to get in touch with us at any time to request removal at any time. For any of the above matters of other queries related to your data, please contact our Data Protection Officer.

Release of any form of information:

Procedural Documents:

NLTS 003 - Enrolment/Consent form (section 1)

NLTS 099 – Data release Request Form – written consent must be recorded for any form of transfer of personal information relating to a client.


NLTS 102 1-1 Client & GDPR Consent Information

NLTS P104 NLTS P104 Retention Of Records Policy

S8.13 Website Cookies

In order for us to collect and retain data demographics which we use to inform us of user behaviour, some parts of our website use cookies to record single user sessions. However, you the user have some choice regarding cookies and their usage. By adjusting your browser settings, you can accept, reject a cookie or be notified when a cookie is present on a website.

Cookies are small files which are kept on a user’s computer. They are created to contain a small volume of data specific to a website or a client, and they can be accessed either by the client’s computer or by the web server. This allows the server to provide a page tailored to the user.

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The information that we automatically log is as follows; your IP address, which is used to gather a wide range demographic data, your browsers user agent and referring address that we use to assist in identifying problems within our server, to identify users and finally to administer our site.

S8.14 Website Data

We will not observe, alter, or release any personal information about you or your Internet usage without your permission unless we have a belief that we have good reason to do so. When an action would be necessary:

- A. To follow legal requirements or to conform to legal process;
- B. Acting to protect the interests of our users.
- C. To apply the terms of use.
- D. When protecting the rights and property of our company.

In these instances, data could be forwarded to a suitable authority i.e. companies/organisations or individuals, if required. In the case of harassment or abuse, data may be used to locate the person responsible and data forwarded to suitable authorities.

S8.15 Our Data Partners

We use the following data partners:

- Google Analytics – to analyse and report on how user navigate to our website
- Getadministrate.com -this cloud-based systems used to record customer queries, bookings, financial transactions. This system records Business and personal contact information which can be used to communicate with customers and potential customers to respond to queries and transactions.
- Mailchimp – We use MailChimp for regular email communication of course schedules and events. It is populated by direct subscriptions (from our website) and from controlled CSV downloads from the Administrate system.
- Microsoft Office 365 – we use Office 365 for email and document storage

S8.16 Your Consent to this privacy policy

By using our website, visitors are signaling that they agree with the conditions of the Privacy Policy currently available on our website.

New Links Training Solutions is interested in collecting information that can better your, the users experience and improve their services.


S8.17 Booking

When booking a training course with New Links users may be required to provide the following information:

1. Users name
2. Contact info such as phone number, email address
3. Financial info such as their credit card number (optional) – Credit card numbers are not stored electronically or otherwise.
4. Their address

S8.18 Security

We at New Links Training Solutions endeavour to protect our user’s personal information as best as we possibly can. While data transmission over the internet is never 100% protected, safety security

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measures are in place to guard against the loss and abuse of any of the information our users submit to our website or any information that we store electronically and physically.

S8.19 Irish Data Protection Commissioner:

For further information on your data protection rights visit the website of the Irish Data Protection Commissioner: <http://www.dataprivacy.ie>

S8.20 Contacting our website:

Contact us for more information about our security practices or our privacy information at info@newlinkstraining.com

S8.21 Privacy Changes:

Any changes or alterations to our privacy policy will be updated here and we urge our users to visit this page to stay informed and up to date on our privacy policies.

Procedural Documents

SOP2 Printing Protocol

SOP 3 Filing Course Information

SOP 4 Contacting Former Clients

SOP 12 – Answering the Telephone