



<b>Notice</b>	Privacy Notice
<b>Effective Date</b>	September 2022
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<b>Supersedes</b>	(No existing document previously)
<b>Owned by</b>	NEBDN Executive
<b>Approved by:</b>	Governance Committee on 4 <sup>th</sup> August 2022 and NEBDN Board of Trustees on 15 <sup>th</sup> September 2022

## Privacy Notice

### Summary

This privacy notice explains how we collect and use information. By submitting your personal information by email, telephone, at an event, on a form, via our website or other systems we deem that you accept this privacy notice and will endeavour to answer any questions not covered below.

'We'/'NEBDN' means the National Examining Board for Dental Nurses, First Floor, Quayside Court, Chain Caul Way, Preston, PR2 2ZP. We are the data controller for the purposes of the UK General Data Protection Regulation, (UK GDPR), and related domestic data protection regulation such as the Data Protection Act 2018 (DPA 2018), as may be updated, amended, and superseded from time to time as the "Data Protection Legislation".

NEBDN aims to protect privacy and safeguard personal information. Personal information is collected and processed in accordance with Data Protection Legislation. The purpose of this is to administer products and services and manage our relationship with those who interact with NEBDN in respect of this.

### Scope

The categories of people subject to this notice include anyone who contacts us regarding using our products or services or otherwise interacts with us such as:

- Learners (including prospective learners) and alumni;
- Contacts at our centres;
- Users of our website;
- Stakeholders and individuals at events or meetings; and
- Third parties that provide services to us.

### Notice Statement

This privacy notice, along with any fair processing or privacy notice provided when we are collecting or processing personal data, will help the people to whom this notice applies to as above to be fully aware of how and why we are using data and they should be read together. The privacy notice will be updated from time to time to reflect organisational needs and customer feedback, including any



legislative changes. It will also be periodically reviewed in order to remain up to date. We reserve the right to make updates or changes at any time. The current version is available via the Website.

Please keep us informed if your personal data changes during your relationship with us so we can ensure we keep our records accurate and up to date.

### **Who is responsible for your information?**

NEBDN is the data controller for your information where we determine the information to be collected and the purposes of its use. All NEBDN staff are responsible for the safe handling of personal data. All concerns or issues should be escalated to the GDPR lead in the first instance. If you have any questions or comments regarding this Privacy notice, please contact us in one of the following ways:

**Email:** [info@nebdn.org](mailto:info@nebdn.org)

**Letter:** National Examining Board for Dental Nurses, First Floor, Quayside Court, Chain Caul Way, Preston, PR2 2ZP marked for the attention of the GDPR Lead.

**Website:** see the "Contact Us" section on our website [www.nebdn.org/contact-us](http://www.nebdn.org/contact-us)

We may share your personal information with other organisations, including those who help us to deliver our products or services or, where applicable, regulate our provision of such products or services. Further information is available in section 3 below.

### **Complaints**

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), which is the UK supervisory authority for data protection issues (<https://ico.org.uk/>). Please contact us in the first instance, using the above details to try and resolve any issues before contacting the ICO.



## GDPR Disclosures

### Personal Data

#### 1. Collecting Data

##### Purpose

We may receive personal information about you whenever you interact with us. For example:

- Information that you provide by filling in forms for us, including those on our website;
- When enrolled on a qualification to process and complete your enrolment, assessment and/or certification;
- To consider and apply reasonable adjustments and or special consideration requests;
- Information contained in and records of communications between us including emails, letters, reports, feedback forms, photos and booking or recording any training;
- To undertake online written and OSCE examinations to ensure that they are reliable and valid;
- Information about your usage of our website, for enhancing, personalising, and optimising your website usage;
- Details of your visits to our website, for example traffic data, location data and the resources that you access, including the pages of our website that you view to determine website improvements;
- Data concerning your marketing preferences for accurate marketing communications; and
- Enquiring about, or applying for, job vacancies for employment and enquiring about our products or services for future sales or support.

##### Scope

We collect and process the following types of information:

- Non-special personal information, such as your full name, date of birth, age, gender;
- Special health information, (only with your specific consent) for reasonable adjustments/special consideration requests;
- Contact information, such as your postal address, email address and telephone number;
- Additional information relevant to your use of our website and services, such as your marketing preferences, survey responses and feedback;
- Internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website or online exams. When using our exam software this may also include the timing and nature of your answers, videos and images of learners; and
- For job applications, your CV with details of your education and past employment (including other information provided on your CV).

##### Information we collect about you from other sources

We may collect information about you from other sources. For example:

- Learners - Information that your Centre has given us in order to process your enrolment, assessment and/or certification;
- Centres - Publicly available information from sources such as Companies House, County Court Judgements, and repossessions - This may include details about your financial situation and debts; and



- Centres - Information from third party databases or data suppliers, such as credit reference agencies, including details about your creditworthiness and address.

In specific instances, we may need to collect additional data for the purposes set out in this Notice.

#### **Information we receive about you from other sources**

Your centre will share your personal data with us upon registration, in order that, we as an Awarding Organisation, can assess and award your qualification when you have met the relevant criteria. We may process your personal data in order to assess your centre and bench mark them against other learning centres.

You may have given your consent for other websites, services or third parties to provide information to us for your benefit. This could include information about you if you use any other qualifications or services we provide. In these cases, we will have informed you when we collected that data if we intend to share data internally and combine it with data collected. We will also have told you for what purpose we will share and combine your data.

It could also include information from third parties that we work with to provide our products and services, such as payment processors, delivery companies, technical support companies and advertising companies. Whenever we receive information about you from these third parties, we will let you know what information we have received and how and why we intend to use it.

#### **Information we collect about you on our website**

We collect information using Cookies and other similar technologies to help distinguish you from other users of our website. These are commonly used to help streamline your user experience and allows us to make improvements to our website. For more information about how and why we use Cookies, please read section 5 below.

When you visit our website and social media platforms, we may collect the following information:

- The pages you view, and which links you follow/click;
- Your IP address and general location;
- Details of the hardware and software that you are using to access the site; and
- Comments, mentions and private messages.

Our website is not intended for children and we do not knowingly collect data relating to children.

We also collect, use, and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law, as this data does not directly or indirectly reveal your identity. For example, we may aggregate data to calculate the percentage of learners achieving a qualification. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We may process **Special Categories** of Personal Data about you. We may process:

- Details of your race or ethnicity; and



- Information about your health in order to make Reasonable Adjustments and any Special Considerations needed.

However, we only do so where you have provided such information to your centre or directly to us and you have given your express consent for it to be processed for the purposes made clear to you when it is collected.

### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with your centre, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into (for example, to award your qualification or provide you with copies of any certificates you request). In this case, we may have to cancel a service we are providing, but we will notify you if this is the case.

## **2. Using Personal Data**

We will only use your personal data when the law allows us to. We will typically use your personal data for the following purposes:

- Where we need to do so in order to perform a contract we are about to enter into or have entered into;
- Where doing so is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests; and
- Where we need to do so in order to comply with a legal or regulatory obligation; and
- Public Duty to protect the public and patients; such as for Fitness to Practice (F2F), Whistleblowing and Safeguarding.

See below to find out more about the types of lawful basis that we will rely on to process your personal data.

We do not generally rely on consent as a legal basis for processing your personal data other than for the collection and use of Special Category Personal Data and in sending direct marketing communications to you via email, phone, or letter. You can withdraw such consent at any time by contacting us.

### **Purposes for which we will use your personal data**

Data will only use a minimum of data and hold it for the minimum timeframe necessary to support these purposes. Examples of when we may use your personal information for our needs or to discharge our obligations include:

- In connection with any contracts between you and a centre which you are employed by or are attending as a learner;
- To carry out our obligations arising from any contracts between you and us, including in connection with providing products or services;
- To manage and administer relationships, such as those with a Centre;



- To comply with our legal obligations and with instructions from third parties or regulators such as GDC or Ofqual, court orders or to protect our legal interests;
- To notify you about changes to our services and to otherwise communicate with you - For example, we will use your contact details to respond to any queries that you submit to us;
- To train our staff, associates, and examiners to continuously improve our services; and
- To review our products, services, and marketing activity and to carry out market research.

With your consent, we may also use your personal information to provide you with information about services, promotions and offers that may be of interest to you. We may use your personal information to identify additional products and or services that are likely to be of interest to you.

### **Supplying our products and providing our services**

We will use personal information about you to enter into and perform the contracts that we make with you, such as when you become a centre provider or customer. Using your information is necessary to:

- Administer online and paper examinations, reasonable adjustments, and special considerations;
- Support centres and tutors;
- Assess, award, and provide certificates;
- Provide services to centres;
- Comply with regulatory requirements;
- Process payments;
- Provide you with information about your contract with us;
- Provide you with information about our products and services;
- Verify your identity;
- Deal with any complaints or appeals you may have;
- Contact you about any changes that we make to our products or services; and
- Administer our website, including troubleshooting problems, analysing statistics, conducting research, tests and keeping the site secure.

If you enquire about, or apply for a job vacancy, it is necessary for us to use your personal information as part of the recruitment process, in order to assess your suitability for specific role(s).

### **Telling you about events or other products or services that we think may be of interest to you**

We may use your information to identify and tell you about events and our other products or services that we think may be of interest. We will only do this with your consent to receive marketing communications.

We may also use your information to invite you to participate in market and/or dental sector research. If we do contact you about research, you do not have to participate and can withhold consent.

You can update your preferences at any time by using the links in any of our emails to you, or by getting in touch using the Contact Us section of the website.



### **Telling you about similar products or services to ones that you have already bought**

If you have already bought a product or service from us, or obtained a quote from us, we may contact you with information about similar products or services. You can choose not to receive such messages at any time. Simply follow the instructions in the message or get in touch using the Contact Us section of the website.

### **Improving our business**

We may notify you about important updates or changes to our products or services. We may in some cases be required to release personal data to meet legal obligations. We want to provide excellent customer experience as well as quality products and services. Sometimes this means we may use your information to find ways we can improve what we do, or how we do it. We will only use your information where it is necessary to:

- Review and improve our existing products and services and develop new ones;
- Review and improve the performance of our systems, processes, and staff (including training and examiner standardisation);
- Improve our communications, including our website;
- Measure and understand the effectiveness of advertising we serve to you and others, and to deliver relevant advertising to you.

### **Contacting you**

Sometimes we may use the information we have about you to respond to your questions or let you know about important changes. We will only use your information in this respect where it is necessary to:

- Interact and respond to any communications you send us, including where you use the Contact Us section of our website, and any social media posts that you tag us in or comment on, including the use of any private messaging services; and
- Let you know about any important changes to our business or policies.

### **Verifying information**

We may use your information where it is necessary to verify your identity, meet legal obligations, detect and prevent fraud, money-laundering and other crimes. For example: learner identification before taking an exam; detection and prevention of plagiarism or collusion etc

### **Protecting you and others from harm**

We may use your information, where necessary, to protect your interests, or the interests of others. This may include in the event of criminality, such as identity theft, piracy, or fraud; ensuring that regulatory standards are met in relation to awarding learners for the protection of the public

### **Legal Bases for using your Personal Data**

All of the categories of information listed above to allow us to:

- \* Enter and perform our **contract(s)** with you
- \*\* Comply with **legal obligations**
- \*\*\* Pursue **legitimate interests** of our own or those of third parties (provided your interests and fundamental rights do not override those interests)





Examples of the situations in which we will process your personal data are listed below. We have indicated by asterisks the legal basis/bases for which we are processing or will process your personal information.

Register learners; Administer online and paper examinations, reasonable adjustments, and special considerations (*, **, ***)
Support centres and tutors (*, ***)
Provide certificates (*, ***)
Provide products and services to centres (*, **, ***)
Assess the performance of centres (**, ***)
Interact with third party organisations that require data relating to exam results such as the General Dental Council (GDC) (***)
Comply with regulations (**) E.g., FtP for GDC; valid and reliable assessments for GDC and Ofqual
Making a decision to supply our products and services. (*)
Administering the contract we have entered into with you. (*)
Dealing with any complaints (*, ***)
Logistics management and planning, including accounting and auditing. (**, ***)
Making arrangements for the termination of our contract. (*, ***)
Making alterations and improvements to the products or services supplied (*, **, ***)
Dealing with legal disputes involving you (**, ***)
To detect and prevent fraud, money-laundering and other crimes. (**)
To review and improve the performance of our systems, processes, and staff (including training).
To interact and respond to any communications you send us, including social media posts that you tag us in. (***) (***)
To let you know about any important changes to our business or policies. (***)
To ensure that the information that we hold about you is accurate and up to date. (*, ***)

### Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### 3. Sharing personal data

#### Sharing your information within our company and group.

We share the information that you provide to us with our staff so that we can provide our products and services to you. Personal learner data will be shared between the accredited centres that registers the learner(s) onto any qualification(s) and NEBDN, according to the Centrer Agreement.





### **Sharing your information with third parties**

We may share your data with selected third parties. For example, we may pass your personal information to third party organisations that provide services to us (including providing IT services and assisting us with carrying out marketing activities), acting for us as a Processor (P) or Controller (C):

- Auditors and Payroll (P)
- Lawyers (C/P)
- Banks/payment system services (P)
- Credit card services (P)
- Credit Checking Providers (P)
- Online/electronic software assessment (P)
- Online/electronic portfolio providers (P)
- Psychometric/statistical review services re exam questions (P)
- CRM/Database provider (P)
- IT support and website developers (P)
- Eventbrite (P)
- Couriers and Delivery Services (P)
- Facebook
- Social Media and communication systems (P)

Third party organisations that collect data relating to our examination results. For example,

- The General Dental Council (GDC); and
- any other organisation required by our regulators.

### **Third party organisations that collect data relating to training and Continuous Professional Development (CPD)**

We may share your personal data including name, email address and phone number with events management and survey/research/marketing platforms for the purposes of administering training, CPD, communicating with you for sales and marketing activities. Such platforms may use servers based in the USA and, as such, your personal information may be processed outside the European Economic Area (EEA). However, we will endeavour to use companies that are registered under the UK-US privacy shield which is a system that has been recognised to provide adequate protection of your data such that it will be handled with the same degree of protection as that offered under the GDPR.

We may also share personal data including: name, email address, unique identifier (such as a username), captured facial videos, captured identification, recorded video stream and other technical details such as IP address and location when using the videoconferencing software for the purposes of online assessments and, communications to satisfy our regulatory obligations. Such organisations may use services outside the EEA and as such, learners' information may be processed outside of the EEA.

### **Exceptional circumstances**

There are certain exceptional circumstances in which we may disclose your information to third parties. This would be where we believe that the disclosure is:



- For Police, law enforcement agencies and regulatory bodies for the purpose of preventing and detecting fraud, crime, and criminal activity; including exchanging information with other companies or organisations for the purposes of fraud protection and credit risk reduction
- Required by the law, or in order to comply with judicial proceedings, court orders or legal or regulatory proceedings; e.g. Fitness to Practice (F2F)
- Public Duty and or necessary to protect the safety of our employees, our property, or the public; e.g. Whistleblowing, Safeguarding incidents.
- Proportionate as part of a merger, business or asset purchase or sale - If this happens, we will share your information with the prospective seller or buyer involved.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

NEBDN will not sell, rent, or lease your personal data to any other third party.

#### **4. How long do we store personal information?**

We keep personal information only for as long as we need it for the purposes it was collected for. Where we provide you with any service, we will retain any information you provide to us at least for as long as we continue to provide that service to you.

If you apply for a job vacancy (or otherwise send us your CV) we will retain your CV for a period of 12 months while we process your application and appoint an individual. If we are considering you for a different role, we may retain this information for longer than that period with your consent.

In all other circumstances, we will keep your information until it is clear the data is no longer required, accurate or otherwise inappropriate under GDPR.

We are required to maintain limited learner data indefinitely in relation to learner identification (e.g. names and DOB) to allow for creation of a replacement certificate (e.g. unit(s)/qualification(s) gained).

#### **5. Protecting personal data**

We take necessary measures to ensure that your data is treated securely in accordance with the law and this notice. While we try to ensure that information you provide to us via the website is kept secure, unfortunately, the transmission of information via the internet is not always completely secure. We therefore cannot guarantee the security of your data transmitted to our site - any transmission is at your own risk. Once we have received your information, we will use strict process, procedures, and security features to prevent unauthorised access.

All information you provide to us is stored on our/third party secure servers. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our site, you are responsible for keeping this password confidential - Do not to share your password. We have



a range of other technical and organisational measures in place, including regular training and restriction of access permissions to protect your personal data.

NEBDN's website uses Cookies to help you personalise your online experience. A cookie is a piece of information held on the hard drive of your computer which records how you have used a website. Cookies allow website operators to accumulate useful information, such as whether the computer (and sometimes its user) has visited the site before.

We use Cookies to monitor how people use our website including estimating numbers of users and patterns of use to help us to provide you with a better service. Cookies make it easier for you to log on and use the website during future visits. They also allow us to personalise the content of the website for you by storing information about your preferences. Please review the website Privacy Notice for further information on cookies.

Third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These cookies are likely to be analytical/performance cookies or targeting cookies.

In order to store cookies on your device, website owners must have your consent. Therefore, you agree to our use of cookies when confirming your agreement on our home page. You can withdraw your consent for us to use cookies at any time. However, please bear in mind that failing to consent to our use of cookies may prevent you from fully accessing our website or result in a loss of functionality which decreases the quality of your experience of the website.

## **6. Accessing or amending your personal data**

You can request that we correct personal information (including your marketing preferences) if you think the personal information, we hold about you is inaccurate or incorrect.

You can choose to stop receiving marketing communications from us by using the 'unsubscribe' functionality in the footer of email communications sent to you, or by contacting us at [communications@nebdn.org](mailto:communications@nebdn.org) describing your preferences. You can also contact the NEBDN GDPR Lead (see above) if needed.

Please note that even if you choose not to receive marketing information, we may still use your personal information to provide you with important communications, including about those qualifications you are registered on or deliver in order to provide you with sufficient support and guidance.

We will aim to deal with your request without undue delay, and in accordance with the requirements of any applicable laws. Please note that we may keep a record of your communications to help us resolve any issues.

## **What rights do you have in respect of your personal information?**

### **To be informed**

We have a legal obligation to provide you with easily understandable information about your personal information and our use of it. We have written this notice to help.



### **To access your personal data**

You can ask us to confirm if we hold any of your personal information. If we do, you have the right to have a copy of your information and to be informed of the following:

- Why we have been using your information;
- What categories of information we were using;
- Who we have shared the information with; and
- How long we envisage holding your information.

We will have to verify your identity via a check before we provide you with a copy of the information we hold. Please note that the first copy of your information requested from us will be provided free of charge, but if you require further copies, we may charge an administrative fee to cover subsequent costs.

### **To correct any inaccurate or incomplete personal data**

Where you have requested a copy of the information held about you and notice that there are inaccuracies or incomplete areas, please let us know. We can then correct our records.

### **To be forgotten**

There may be times where it is no longer necessary for us to hold your personal information. We may be subject to a legal requirement to delete your information where:

- The information is no longer needed for the original purpose that we collected it for;
- You withdraw your consent for us to use the information (and there is no other legal reason to use it);
- You object to us using your information and we have no overriding reason to keep using it; or
- We have used your information unlawfully.

You have the right to have your personal data deleted in certain circumstances such as the above. If you believe one of these situations applies to you, please contact us using the details on our website. Please note that we are obliged to maintain enough personal data to offer replacement certificates for successful living learners at any point in time.

### **To have a copy of your data transferred to you or a third party in a compatible format**

You have the right to a copy of your personal data for your own purposes. This right allows you to move, copy or transfer your personal data more easily from one IT system to another, in a safe and secure way, and is known as “Data Portability”.

If you would like us to transfer a copy of your data to you or another organisation in a structured, commonly used, and machine-readable format, please contact us.

### **To object to direct marketing**

You can tell us not to use your information for direct marketing purposes at any time. If you prefer not to receive any direct marketing from us, please contact us or use the links provided in any of our marketing communications, and we will stop sending direct marketing as soon as possible.



### **You have the right to object to us using your information for our own legitimate interests**

Sometimes we use your personal information to achieve goals that will help us as well as you. For example:

- When we tell you about products or services that are like ones that you have already bought;
- When we use your information to help us make our business better; and
- When we contact you to interact, communicate or let you know about changes we are making.

We aim to ensure that your rights and information are always properly protected. If you believe that the way we are using your data is not justified due to its impact on you or your rights, you have the right to object. Unless we have a strong reason to continue, we will stop using your personal data for these purposes.

### **To restrict how we use your personal data**

You have the right to ask us to stop using your personal data in any way other than simply keeping a copy of it. This right is available where:

- You have informed us that the information we hold about you is inaccurate, and we cannot yet verify this;
- You have objected to us using your information for our legitimate interests and we are considering your objection;
- We have used your information in an unlawful way, but you do not want us to delete your data; or
- We no longer need to use the information, but you need it for a legal claim.

### **Related to automated decision making and profiling**

Any automated decision-making or profiling we undertake is solely for the purpose of tailoring information provided, determining creditworthiness of centres and monitoring learner assessment activity for suspicious behaviours including collaboration and or plagiarism. We do not solely rely on any automated decision-making or profiling to make any decisions which will have a legal effect upon you or otherwise significantly affect you, and you have the right not to be subject to such automated decisions.