



ICO Grant of Approval for UK GDPR Certification Criteria

The certification criteria contained within:

- **UK GDPR Compliance Certification Scheme for the Provision of Training and Qualifications Services Criteria**

have been approved by the Information Commissioner in accordance with the Commissioner's tasks and powers under Articles 57(1)(n) and 58(3)(f) pursuant to Article 42(5) of the UK General Data Protection Regulation.

In this approval, all references to "Articles" are to Articles of the UK General Data Protection Regulation (UK GDPR).

A: BACKGROUND:

(1) Article 42 of the UK GDPR sets out the legal requirements regarding certification of data controllers and processors.

Article 42(1) requires the Commissioner to encourage the establishment of data protection certification mechanisms and of data protection seals and marks, for the purpose of demonstrating compliance with UK GDPR of processing operations by controllers and processors.

Article 42(5) provides for certification being issued by certification bodies (accredited by UKAS) based on criteria approved by the Commissioner pursuant to Article 58(3).

Certification is voluntary and is issued to a controller or processor for a maximum of three years. It may be renewed under the same conditions, provided the relevant criteria continue to be met.

Once the Commissioner approves certification criteria, the ICO's Register of Approved Certification Criteria will be updated to include the details of the scheme owner and the documents approved.

(2) **APMG** are a global accreditation and examination institute. APMG accredits organisations to deliver training courses and consultancy services for a broad range of professional certification schemes. They have a diverse portfolio of certification schemes including internationally renowned solutions for Project, Business and Information & Technology (IT) Management, Cyber Security and Public-private partnerships.

The objective of the 'UK GDPR Compliance Certification Scheme for the Provision of Training and Qualifications Services' is to promote confidence in training companies who process personal data. Certified training companies will be provided with a digital badge to show their processing activities, in relation to their training and qualifications

services, are compliant with the certification scheme requirements, allowing data subjects to make an informed choice when they are selecting a training company and can be confident that their personal data will be processed in accordance with UK GDPR. This also helps training companies to differentiate themselves from other training companies offering similar courses.

The criteria apply to the processing of personal data by training companies (private and public), acting as data controllers, in all activities relating to their provision of training and qualifications services to candidates over the age of 16.

(3) The APM Group Limited (APMG)¹ have submitted UK GDPR Compliance Certification Scheme for the Provision of Training and Qualifications Services Criteria, for consideration as UK GDPR certification criteria.

(4) An assessment was undertaken in accordance with the ICO certification procedures to assess how effectively the certification criteria practically apply UK GDPR in respect of the intended scope and proposed target of evaluation. The assessment included internal consultation with a Certification Assessment Group comprising of policy colleagues and subject matter experts in data protection audits. The resulting assessment report required APMG to make a number of amendments.

(5) Final versions were submitted on 5 May 2022 and agreed to put forward for approval on 2 November 2022, following a successful pilot phase.

B: APPROVAL:

(1) The Information Commissioner grants approval to APMG for the following certification criteria submitted on 5 May 2022:

- **UK GDPR Compliance Certification Scheme for the Provision of Training and Qualifications Services Criteria**

The approval applies solely to the criteria contained within the documents listed above.

(2) This approval is subject to the following conditions:

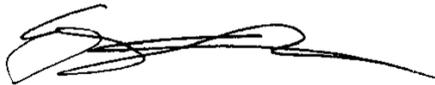
- a. APMG shall regularly review the criteria to ensure they remain fit for purpose. In doing so they shall consider any changes to the UK data protection regime, such as:
 - amendments to data protection legislation;
 - decisions, opinions, or guidance issued by the ICO; and
 - court decisions related to data protection.
- b. APMG shall not make any changes to the criteria, minor or otherwise, without first notifying the ICO and going through the appropriate approval process.
- c. APMG shall make the approved version of the criteria publicly available.
- d. APMG shall cooperate with the ICO in the performance of its tasks and duties.

¹ The APM Group Ltd, Sword House, Totteridge Road, High Wycombe, Buckinghamshire, HP13 6DH. UK company registration no.02861902

- e. APMG shall ensure that all communications to the public and/or organisations regarding these criteria are clear and accurate.

If the ICO finds that APMG has contravened any of these conditions, the ICO may serve on APMG a notice withdrawing this grant of approval for the approved set of certification criteria. Such notice shall take effect on a date to be specified in the notice.

(4) This grant of approval shall take effect from the date it is signed.



Emily Keaney
Deputy Commissioner – Regulatory Policy
for the Information Commissioner’s Office (ICO)

01/12/22