

Privacy Notice

Employability Fund (including the National Transition Training Fund and the COVID-19 Relief Grant)

Who are we?

The Skills Development Scotland Co Ltd (“SDS”, “we”, or “us”) is the national skills body supporting the people and businesses of Scotland to develop and apply their skills.

The Employability Fund Programme

The Employability Fund Programme (“EF Programme”) is a programme operated by SDS supporting training of individuals which is funded by the Scottish Government. From 1 April 2022, the EF Programme is not open to new starts although those already in training will be supported to complete the EF Programme.

The National Transition Training Fund

The National Transition Training Fund (“NTTF”) was part of the EF Programme and provided access to short industry recognised qualifications to assist individuals who had been made redundant / or were at risk of redundancy or had been made unemployed in entering back into the labour market.

- **NTTF Childcare**

Skills Development Scotland, in conjunction with appointed training providers developed and delivered a taster programme in childcare for over 25s who had been made redundant/faced the risk of redundancy, and returners to labour market to gain experience and industry recognised learning to help individuals apply for entry level positions in the sector.

Covid-19 Relief Grant

The Covid-19 Relief Grant was a grant funded by Scottish Government in response to the Covid-19 pandemic and was payable to training providers who applied for and qualified for payments under the scheme. It was a temporary scheme, but SDS have audit rights relating to the scheme which allow SDS and other bodies to access certain personal data now that the scheme has ended.

We refer to the individuals whose personal data we may be processing as “participants”, “sole traders” “staff” “you” or “your” in this notice.

Who is this Privacy Statement for?

This Privacy Statement primarily provides information to participants on the EF Programme (including NTTf) around how their personal data will be processed, shared and stored.

This Privacy Statement also provides information to: -

- the participants' placement employer, where appropriate;
- the staff of the training providers, where the training provider claimed for the Covid-19 Relief Grant; and
- training providers who are sole traders.

around how their personal data will be processed, shared and stored.

What personal information do we collect and process?

1. The participant on the EF Programme (including NTTf)

- Information that you provided about you and your personal circumstances.
- Information you provided about yourself on any registration or application forms.
- Information you provided about yourself in the SDS equalities monitoring form and any disability or care leaver form.
- Information about your Employability Fund activity including details of your achievements and progress, your records of work and portfolios relating to your training and subsequent progression and outcomes from your training.

2. Training providers who claim COVID-19 Relief Grant from SDS and their staff

- For all training providers: Contact details of staff members: including phone or email address, as provided to SDS by the provider in order to verify claims relating to staff costs in relation to the COVID-19 Relief Grant.
- For all training providers: details of jobs held by staff, hours worked, salaries and remuneration due and paid, details of staff salaries for which Covid-19 relief payments have been paid (e.g., furlough.)
- Sole traders: Whilst we are entitled to collect the same data from all training providers, where the training provider happens to be a sole trader, their data may constitute 'personal data' as a result. The data that we process may, in addition to the data referred to above, also include financial data, including bank statements, remuneration, invoices, other demands and receipts.

SDS will receive the above information from the participant directly, from your referring organisation, from your training provider, or from your work placement employer.

How do we use your information?

	Types of information	Why do SDS use your personal information?	Under what legal basis do SDS use your personal information?
1.	Personal information	To monitor our compliance with the conditions of funding related to the EF Programme, the NTTF programme and the COVID-19 Relief Grant scheme and to ensure that we are properly spending and are accountable for those monies	Fair and lawful because it is: <ul style="list-style-type: none"> • necessary for SDS to comply with its legal obligations • necessary for reasons of public interest • necessary for reasons of substantial public interest
2.	Contact information	To monitor, audit and evaluate the quality of your individual training and the EF Programme and the NTTF programme generally (evaluating may include requesting you to complete any questionnaire issued by or on behalf of SDS and/or Scottish Ministers)	Fair and lawful because it is: <ul style="list-style-type: none"> • necessary for SDS to comply with its legal obligations • necessary for reasons of public interest
3.	Personal information.	To monitor the training provider's compliance with its contractual obligations with SDS including monitoring your training provider's training quality standards and compliance.	Fair and lawful because it is: <ul style="list-style-type: none"> • necessary for SDS to comply with its legal obligations • necessary for reasons of public interest
4.	Contact information.	To provide information to you about working life, fair work practices and the services and benefits you can access from SDS and other public sector or government bodies in Scotland and/or the UK	Fair and lawful because the intended processing is: <ul style="list-style-type: none"> • necessary for reasons of public interest • necessary to fulfil SDS's or any of the other bodies' legitimate interests, where the processing isn't unreasonable or detrimental, and

			doesn't relate to a core obligation of SDS or the other body
5.	Special category information (e.g. ethnicity, disability, sexual orientation)	To carry out equalities monitoring and to ensure we meet our Equality Act 2010 obligations	Fair and lawful because it is: <ul style="list-style-type: none"> • necessary for SDS to comply with its legal obligations • necessary for reasons of substantial public interest
6.	Personal information.	To monitor and evaluate the training against applicable educational standards	Fair and lawful because it is: <ul style="list-style-type: none"> • necessary for SDS to comply with its legal obligations • necessary for reasons of public interest • necessary for reasons of substantial public interest
7.	Personal information, Special category information (e.g. ethnicity, disability, sexual orientation)	To undertake statistical research regarding the value and impact of the EF Programme and the NTTF Programme and to assist with policy development	Fair and lawful because it is: <ul style="list-style-type: none"> • necessary for SDS to comply with its legal obligations • necessary for reasons of public interest • necessary for reasons of substantial public interest
8.	Contact information.	To contact Training Provider staff and/or sole traders in order to verify evidence submitted to support claims made by the grant recipients (EF providers) under the COVID-19 Grant Relief scheme	Fair and lawful because it is: <ul style="list-style-type: none"> • necessary for SDS to comply with its legal obligations • necessary for reasons of the public interest

Please note that SDS or its agents may contact you as a participant in the EF Programme from time to time by telephone, post, text, or email or indeed arrange to meet with you directly to discuss matters associated with the provision of your training for the purposes of quality monitoring, training provider compliance and quality assurance and/or measuring outcomes.

When might we share your information?

The information collected shall be held by us or on our behalf and may be passed by us to other public bodies concerned with one or more of the following:

- economic development
- skills development
- awards for vocational qualifications
- maintaining educational standards
- the provision of other public services or benefits
- our internal/external auditors in each case, to the extent required to fulfil their respective public functions.

The information you provide to us about aspects such as your ethnicity and religion in the Equality Monitoring Form will be passed to Scottish Government as we are required to report on this information under the Equality Act (2010).

Personal information may be shared for purposes of training providers supporting individuals in event of training providers and/or participants being affected by any pandemic situation (i.e. COVID-19).

For the National Transition Training Fund, your following personal information will be visible on our database and will be accessible to SDS and the approved training provider who will deliver your training. The purpose of this information is to enable both to verify participants based on their evidence for eligibility, and to check whether or not applicants have already received training funded by the NTTF:

- Your full name
- Date of birth
- Address
- Telephone number (home, mobile)
- Email address
- National Insurance Number

How do we protect your information?

Skills Development Scotland maintain a high standard of both physical and network security designed to protect paper or electronic forms of storage to hold and process your personal information.

Information that we hold about you will be subject to rigorous safeguards to ensure that it isn't accessed or disclosed inappropriately. We also take steps to ensure that your information is not damaged or rendered unavailable to those who have a right to see it.

To meet confidentiality requirements for our customers, stakeholders, and staff, Skills Development Scotland has Confidentiality, Data Protection and Information Technology notices in place and we ensure that staff are fully aware of these and the associated guidance in relation to your personal information. These also apply when we dispose of paper records and delete electronic information in ways that ensure that your information cannot be recreated.

How long do we store your information?

Once you have been verified as a participant under the EF programme (including NTTf) by your training provider, your personal data submitted to SDS by you and/or your training provider will be retained for:

- 4 years after the last claim for payment has been made by your training provider in relation to the services it has provided to you. This is to allow a period for us to audit, monitor and evaluate participants on the programme.
- The training provider will retain your information until 3 years from the 31st March of the date of the last claim for payment.

We will hold personal data related to the purpose of verifying evidence submitted to support claims by grant recipients (under the COVID-19 Grant Relief scheme) for a period of 3 years following the expiry of the Grant Relief period.

If you require any further detail or clarification on how long we will keep your personal information for and our reason for doing so, please feel free to get in touch with us through the contact information provided in the contact section below.

Your Rights

Under Data Protection legislation – including the UK GDPR and Data Protection Act 2018 - you have a number of rights in relation to how your personal information is processed.

If you wish to find out what these rights are, please see www.sds.co.uk/privacy and get in touch with DPO@sds.co.uk if you wish to find out more information or enact one of those rights.

Updating Information

Please let us know if the personal information which we hold about needs to be corrected or updated.

Notice Amendments

We may update this privacy notice by posting a new version on the website and, where appropriate, we will notify you by email. Please check back frequently to see any updates or changes.

Data Controller

The data controller responsible in respect of the information collected if The Skills Development Scotland Co. Limited, which is notified to the Information Commissioner as a data controller with registration number Z1445093.

If you remain dissatisfied with our response following any review related to a request you have made regarding your personal data, you are entitled to appeal to the Information Commissioner. Such an application should be sent to the following address:

Information Commissioners Office

Wycliffe House, Water Lane, Wilmslow SK9 5AF

Phone: 0303 123 1113

Website: ico.org.uk/

Contact

If you wish to get in touch regarding any queries about your rights, or for any other matter, please contact the Data Protection team at DPO@sds.co.uk.