

## Privacy Statement

### Who are we?

Skills Development Scotland Co Ltd (which we sometimes refer to as "SDS", "we" or "us" in this notice) 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 we sometimes refer to as "participants", "you" or "your" in this notice), and which is funded by the Scottish Government.

In making the EF Programme available to you, SDS will collect and process the following data about you.

- **Information we collect and use**

We will collect and process the following personal information:-

- information that you provide about you and your personal circumstances which shall include among other things, information you provide about yourself in any Individual Training Plan, Training Agreement, Change of Circumstances form, equalities monitoring form, any other information you may provide or have provided; and
- 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; and

- **Sources of Information**

SDS will receive the above information from one or more of the following sources:-

- from you directly
- from your referring organisation;
- from your training provider;
- from your work placement employer.

- **Organisations we may pass your information to**

- 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

## Employability Fund Privacy Statement and Data Protection

- 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.

We will create anonymous reports on information you provide us in the Equality Monitoring form (aspects such as your ethnicity and religion) as we are required to report on the information under the Equality act (2010).

- **Legal Bases for processing the information**

**This table sets out why we are required to process your personal data, and why this is permitted under law. This is so that you are fully aware of what we do with your data as an organisation.**

	<b>SDS and these other organisations that may receive the information from us may use the information for one or more of the following purposes -</b>	<b>SDS is entitled to process the information as the intended processing, under the Data Protection Act and the General Data Protection Regulation, is -</b>
i	To monitor our compliance with the conditions of funding related to the EF Programme 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"> <li>• necessary for SDS to comply with its legal obligations</li> <li>• necessary for reasons of the public interest</li> <li>• necessary for reasons of substantial public interest</li> </ul>
ii	To monitor, audit and evaluate the quality of your individual training and the EF 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"> <li>• necessary for SDS to comply with its legal obligations</li> <li>• necessary for reasons of the public interest</li> </ul>
iii	To monitor your training provider's compliance with its contractual obligations with SDS including monitoring your training provider's training quality standards and compliance, and validating their claims for payment	Fair and lawful because it is: <ul style="list-style-type: none"> <li>• necessary for SDS to comply with its legal obligations</li> <li>• necessary for reasons of the public interest</li> </ul>
iv	To provide information to you about working life, fair work practices and the services and benefits you can access from SDS and other public	Fair and lawful because the intended processing is:- <ul style="list-style-type: none"> <li>• necessary for reasons of the public interest</li> </ul>

## Employability Fund Privacy Statement and Data Protection

	sector or government bodies in Scotland and/or the UK	
v	To carry out equalities monitoring and to ensure equality of access to our programmes	Fair and lawful because it is: <ul style="list-style-type: none"> <li>• necessary for SDS to comply with its legal obligations</li> <li>• necessary for reasons of substantial public interest</li> </ul>
vi	To monitor and evaluate the training against applicable educational standards	Fair and lawful because it is: <ul style="list-style-type: none"> <li>• necessary for SDS to comply with its legal obligations</li> <li>• necessary for reasons of the public interest</li> <li>• necessary for reasons of substantial public interest</li> </ul>
vii	To undertake statistical research regarding the value and impact of the EF Programme and to assist with policy development.	Fair and lawful because it is: <ul style="list-style-type: none"> <li>• necessary for SDS to comply with its legal obligations</li> <li>• necessary for reasons of the public interest</li> <li>• necessary for reasons of substantial public interest</li> </ul>

1. 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, validating training providers' claims for payment and/or measuring outcomes.
2. Once you have been verified as a participant under the EF Programme by your training provider, your personal data submitted to SDS by you and/or your training provider will be retained by SDS from the date it is provided until no later than the date occurring 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.
3. SDS is the 'data controller' in respect of all of your personal data collected by SDS under the MA Programme. If you require any information regarding your personal data, please contact the DPO for SDS at [DPO@sds.co.uk](mailto:DPO@sds.co.uk)
4. We identified the organisations we may pass your personal data to earlier in this Privacy Notice. Where any of the information is provided to any of these

## Employability Fund Privacy Statement and Data Protection

organisations, that body shall become the Data Controller in respect of the information we have passed to it. We recommend you review any privacy notice issued by any of these organisations in relation to their respective uses of your personal information.

5. If SDS make changes to this Privacy Notice we will post them on our website and, where appropriate, we will notify you by email. Please check back frequently to see any updates of changes to this Privacy Notice.
6. For more information about your rights under the Data Protection Act 1998 or, from 25 May 2018, the General Data Protection Regulation 2016 please see <https://www.skillsdevelopmentscotland.co.uk/about/policies/privacy> or the UK Information Commissioner's website at [www.ico.org.uk](http://www.ico.org.uk)

March 2018