

# Modern Apprenticeship Privacy Statement and Data Protection

## 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 Modern Apprenticeship Programme

The Modern Apprenticeship Programme ("MA 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 MA Programme available to you, SDS will collect and process the following data about you.

- **Information you as a participant give to SDS**

We will collect and process the following personal information:-

- information that you provide about you and your personal circumstances;
- information about your Modern Apprenticeship 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
- information you provide about yourself in the SDS equalities monitoring form and any disability or care leaver form.

- **Sources of Information**

SDS will receive the above information from you directly, from your training provider and/or your 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
  - the provision of other public services or benefits
  - our internal/external auditorsin 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).

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**We will only report on your answers to the Equalities Monitoring form in an anonymised manner.**

- 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 MA 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 generally help you find and retain suitable employment	Fair 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>
ii	To monitor, audit and evaluate the quality of your individual training and the MA 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 and performance including 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 sector or government bodies in Scotland and/or the UK	Fair and lawful because the intended processing is:- <ul style="list-style-type: none"> <li>necessary for reasons of the public interest</li> <li>necessary to fulfil SDS's or any of the other bodies' legitimate interests, where the</li> </ul>

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		processing isn't unreasonably detrimental, and doesn't relate to a core obligation of SDS or the other body
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 MA 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 MA 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 MA Programme by your training provider, your personal data submitted to SDS by you and/or your employer or training provider will be retained by SDS from the date it is provided until either:
  - 31<sup>st</sup> December 2022, or
  - if the programme is extended by the Scottish Government, then two years after 31<sup>st</sup> December following the submission of final accounts for the MA Programme from SDS to the Scottish Government.

This is for the purposes of monitoring and auditing checks performed in relation to the European Social Fund. If you require any further detail or clarification on how

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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 paragraph 4 below.

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. 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.
5. 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