

Privacy Notice

Foundation Apprenticeships

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 Foundation Apprenticeship Programme

The Foundation Apprenticeship Programme (“FA Programme”) is a programme developed by SDS supporting training of individuals (“participants”, “you” or “your”), and which is operated and delivered by our partner learning providers (“learning providers”) and funded by the Scottish Government and the European Social Fund.

SDS does not operate or deliver the FA Programme, but we do assist the Scottish Government monitor and report on its delivery, quality and outcomes, as well as assisting in the monitoring of equalities data.

Who is this Privacy Statement for?

This Privacy Statement primarily provides information to apprentices on the Foundation Apprenticeship programme around how their personal data will be processed, shared and stored.

What personal information do we collect and process?

1. The apprentice

- Information that you provide about you and your personal circumstances
- Information about your Foundation 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, how your training has gone and the impact it has had;
- Information you provide about yourself in the SDS equalities monitoring form and any disability or care leaver form

2. The employer

- To contact the Employer to alert them to and discuss any additional services offered by SDS from time to time

How do we use your information?

| | Why do SDS use your personal information? | Under what legal basis do SDS use your personal information? |
|-------------|--|---|
| i) | To monitor our compliance with the conditions of funding related to the FA 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"> • necessary for SDS to comply with its legal obligations • necessary for reasons of the public interest • necessary for reasons of substantial public interest |
| ii) | To generally help you find and retain suitable employment | 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 |
| iii) | To monitor, audit and evaluate the quality of your individual training and the FA 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 the public interest |
| iv) | To monitor your provider's compliance and performance including validating their claims for payment | 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 |
| v) | 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 the public interest • necessary to fulfil SDS's or any of the other bodies' legitimate interests, where the processing isn't unreasonably |

| | | |
|--------------|---|---|
| | | detrimental, and doesn't relate to a core obligation of SDS or the other body |
| vi) | 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 |
| vii) | 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 the public interest • necessary for reasons of substantial public interest |
| viii) | To undertake statistical research regarding the value and impact of the FA 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 the public interest • necessary for reasons of substantial public interest |
| ix) | To contact the Employer to alert them to and discuss any additional services offered by SDS from time to time | Fair and lawful because it is: <ul style="list-style-type: none"> • necessary for reasons of legitimate interests |

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

- ensuring compliance with legal obligations
- 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).

We may work with private organisations to carry out surveys and evaluations on behalf of SDS for the purpose of evaluating the impact and effectiveness of the FA programme. Any private organisation we contract with will be bound by terms and conditions that require them to comply with Data Protection legislation and ensure high standards of information security.

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, Information Technology, and Systems 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 an apprentice under the FA programme by your provider, your personal data submitted to SDS by you and/or your employer or provider will be retained by SDS from the date it is provided until:

- 31st December 2026, for the purposes of monitoring and auditing checks performed in relation to the European Social Fund.
- A period of 12 years after the completion of your course, for the purposes of research and analysis that aims to understand the long-term outcomes of individuals who have completed a Foundation Apprenticeship, so that we can improve our service and better meet the needs of people across Scotland.

The contact information of the Employer's representative will also be held from the date it is provided until 31st December 2026, in line with how long we hold the apprentice's data for monitoring and auditing purposes.

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 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 is The Skills Development Scotland Co. Limited, which is notified to the Information Commissioner as a data controller with registration number Z1445093.

The providers for Foundation Apprenticeships will also be data controllers under Data Protection legislation in respect of personal information that they process for the purpose of this programme, other than any particular information that they are data processors for under the terms of the contractual agreement with SDS.

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: 01625 545745

Website: www.ico.gov.uk

Contact

If you have any specific queries regarding your rights, or any other matter, please contact the Data Protection team at DPO@sds.co.uk.