

## Privacy Notice

### Pathway 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.

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

#### Pathway Apprenticeships (PA)

PA is a programme operated by SDS supporting the training of individuals, which is funded by the Scottish Government.

#### Who is this Privacy Statement for?

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

#### What personal information do we collect and process?

##### 1. The participant on the PA programme

- Information that you provide about you and your personal circumstances.
- Information about your PA 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.
- Information you provide about yourself in the SDS equalities monitoring form and any disability or care leaver form.

#### How do we use your information?

	Types of information	Why does SDS use your personal information?	Under what legal basis does SDS use your personal information?
1.	Personal information	To monitor our compliance with the conditions of funding related to the programme to ensure that we	Fair and lawful because it is:

		are properly spending and are accountable for those monies	<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>
2.	Personal information	To generally help you find and retain suitable employment	<p>Fair and lawful because it is:</p> <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>
3.	Contact information.	To monitor, audit and evaluate the quality of your individual training and PA generally. (Evaluating may include requesting you to complete any questionnaire issued by or on behalf of SDS and/or Scottish Ministers)	<p>Fair and lawful because it is:</p> <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>
3.	Personal information	To monitor the training provider's compliance and performance including validating their claims for payment	<p>Fair and lawful because it is:</p> <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>
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	<p>Fair and lawful because the intended processing is:</p> <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 processing isn't unreasonably detrimental, and doesn't relate to a core obligation of SDS or the other body</li> </ul>
5.	Special category information (e.g. ethnicity, disability,	To carry out equalities monitoring and to ensure we meet our Equality Act 2010 obligations	<p>Fair and lawful because it is:</p> <ul style="list-style-type: none"> <li>• necessary for SDS to comply with its legal obligations</li> </ul>

	sexual orientation)		<ul style="list-style-type: none"> <li>necessary for reasons of substantial public interest</li> </ul>
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"> <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>
7.	Personal information, Special category information (e.g. ethnicity, disability, sexual orientation)	To undertake statistical research regarding the value and impact of the PA 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>

### 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 provided will also be shared with the relevant Training Provider / Employer for the purpose of delivering Pathway Apprenticeships.

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).

## 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 on the PA programme by your provider, your personal data submitted to SDS by you and/or your employer or provider will be retained:

- 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

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](http://www.sds.co.uk/privacy) and get in touch with [DPO@sds.co.uk](mailto: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.

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/](https://ico.org.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](mailto:DPO@sds.co.uk).