

## Privacy Notice

### Modern Apprenticeship

#### Who are we?

The Skills Development Scotland Co Limited (“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 “apprentices”, “employers”, “learning providers”, “staff”, “you” or “your” in this notice.

#### The Modern Apprenticeship Programme

Modern Apprenticeship (MA) training enables people in paid work to develop and learn new skills. SDS administer the public sector’s funding contribution towards the cost of training and assessment for employees who employers wish to support through an approved Modern Apprenticeship (MA) framework.

#### Who is this Privacy Notice for?

This Privacy Notice primarily provides information to Apprentices on the Modern Apprenticeship programme around how their personal data will be processed, shared and stored. This Privacy Notice also provides information to: -

- the Apprentices’ Employers;
- the staff of the Learning Providers;

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

#### What personal information do we collect and process and how do we use your information?

##### About the apprentice on the MA programme:

- Personal information that you provide about you and your personal circumstances. This includes (but are not limited to) name, date of birth, National Insurance Number, Scottish Candidate Number, address, employment history, qualifications.
- Contact information that you provide. This includes email address and phone number.
- Information you enter on the SDS equalities monitoring form (most of which is known as special category or sensitive data). This includes information

concerning ethnicity, sex, religious beliefs, sexual orientation, health data (e.g. disability). It also includes information relating to care experience.

- You or the learning provider will provide 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.

<b>We use your information to</b>	<b>To do that, we use</b>	<b>Why is fair &amp; lawful for SDS to do this?</b>
1. 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	Personal information	Because it is: <ul style="list-style-type: none"> <li>Necessary for SDS to comply with its legal obligations</li> <li>necessary for SDS to perform a task in the public interest</li> </ul>
2. Generally help you find and retain suitable employment	Personal and contact information	Because it is: <ul style="list-style-type: none"> <li>necessary for SDS to perform a task in the public interest</li> </ul>
3. Monitor, audit and evaluate the quality of your individual training and the MA programme generally. (Evaluating may include requesting you to complete any surveys issued by or on behalf of SDS and/or Scottish Ministers)	Contact information	Because it is: <ul style="list-style-type: none"> <li>necessary for SDS to comply with its legal obligations</li> <li>necessary for SDS to perform a task in the public interest.</li> </ul>
4. Monitor your learning provider's compliance and performance including validating their claim for payment	Personal information	Because it is: <ul style="list-style-type: none"> <li>necessary for SDS to comply with its legal obligations</li> <li>necessary for SDS to perform a task the public interest</li> </ul>
5. Provide information to you about working life, fair work first and the services and benefits you can access from SDS and other public sector or government bodies in Scotland and/or the UK.	Contact information	Because it is: <ul style="list-style-type: none"> <li>necessary for SDS to perform a task in the public interest</li> </ul>
6. Ensure, where applicable, your smooth transition to another	Personal and contact information	Because it is:

<b>We use your information to</b>	<b>To do that, we use</b>	<b>Why is fair &amp; lawful for SDS to do this?</b>
training provider for the purposes of you completing your MA training		<ul style="list-style-type: none"> <li>necessary for SDS to perform a task in the public interest</li> </ul>
7. Ensure your progress and outcomes are properly recorded and assessed for the purposes of awarding body certification	Personal and contact information	Because it is: <ul style="list-style-type: none"> <li>necessary for SDS to perform a task in the public interest</li> </ul>
8. Carry out equalities monitoring and reporting to ensure we meet our Equality Act 2010, including the public sector equality duty.	Special category information (e.g. ethnicity, disability, sexual orientation)	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, paragraph 8 of Schedule 1 of the Data Protection Act 2018 (Equality of opportunity or treatment)</li> </ul>
9. Monitor and evaluate the training against applicable educational standards.	Personal information	Because it is: <ul style="list-style-type: none"> <li>necessary for SDS to perform a task in the public interest</li> </ul>
10. Undertake statistical research regarding the value and impact of the MA programme and to assist with policy development.	Personal, contact and special category information (e.g. ethnicity, disability, sexual orientation)	Because it is: <ul style="list-style-type: none"> <li>necessary for SDS to perform a task in the public interest</li> <li>necessary for reasons of substantial public interest, paragraph 8 of Schedule 1 of the Data Protection Act 2018 (Equality of opportunity or treatment).</li> </ul>
11. Assess the eligibility of a training provider for inclusion in enhanced funding and/or incentivised recruitment schemes, which may run from time to time	Special category and sensitive information (e.g. disability, care experience, ethnicity, sexuality)	Because it is: <ul style="list-style-type: none"> <li>necessary for SDS to perform a task in the public interest</li> <li>necessary for reasons of substantial public interest, paragraph 8 of Schedule 1 of the Data Protection Act 2018 (Equality of opportunity or treatment)</li> </ul>

## About the apprentices' employer

- Personal and contact information for the employer or their representatives. This includes name, job role, phone number and email address.

<b>We use your information to</b>	<b>To do that, we use</b>	<b>Why is fair &amp; lawful for SDS to do this?</b>
1. Contact the employer to alert them to and discuss any additional services offered by SDS from time to time.	Contact information	Because it is: <ul style="list-style-type: none"> <li>• necessary for SDS to perform a task in the public interest</li> </ul>
2. Request the Employer to complete any questionnaire issued by or on behalf of SDS or Scottish Ministers to help evaluate the Programme	Contact information	Because it is: <ul style="list-style-type: none"> <li>• necessary for SDS to perform a task in the public interest</li> </ul>
3. Contact the Employer (perhaps through nominated agents) to discuss matters associated with the training of apprentices generally.	Contact information	Because it is: <ul style="list-style-type: none"> <li>• necessary for SDS to perform a task in the public interest</li> </ul>

## About the staff at the learning provider

- Personal and contact information. This includes name, job role, phone number and email address.

<b>We use your information to</b>	<b>To do that, we use</b>	<b>Why is fair &amp; lawful for SDS to do this?</b>
1. Contact the learning provider for the purposes of contract management and enforcing the terms of the MA contract.	Contact information	Because it is: <ul style="list-style-type: none"> <li>• necessary for the performance of a contract</li> </ul>
2. Contact the learning provider in order to verify evidence submitted to support claims for milestones and outcome payments for the MA programme.	Contact information	Because it is: <ul style="list-style-type: none"> <li>• necessary for SDS to comply with its legal obligations</li> <li>• necessary for SDS to perform a task in the 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 you provide to us about aspects such as your ethnicity, sex and religion in the Equality Monitoring Form will be passed to Scottish Government in an anonymised format as we are required to report on this information under the Equality Act (2010).

Employer contact information may be shared with external contractors for the purposes of follow up evaluation and research. It may also be shared to other public bodies concerned with quality assurance to enable them to contact the Employer regarding their respective functions.

## 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 an apprentice under the MA 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:

- 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 Modern 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 or 12 years after the completion of an apprenticeship, 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 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.

## How to make a complaint

If you have any concerns about the way your personal information is managed, or if you wish to make a complaint, please complete our [Customer Complaints Form](#). Should you remain dissatisfied with how we have handled your personal

information, you are entitled to escalate your complaint to the Information Commissioner, using the contact details provided below.

### **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/](http://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).