

## Privacy Notice

### Foundation Apprenticeships

#### 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”, “work placement employer”, “learning providers”, “staff”, “you” or “your” in this notice.

#### The Foundation Apprenticeship Programme

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

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 Notice for?

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

- the Apprentices’ Work Placement Employer;
- 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 FA 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, 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, health data (e.g. disability). It also includes information relating to care experience.
- You or the learning provider will provide 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.

<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 FA 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 FA 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	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>

<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>
other public sector or government bodies in Scotland and/or the UK.		
6. Ensure, where applicable, your smooth transition to another provider for the purposes of you completing your FA training	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>
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)	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. Determine whether alternative FA travel arrangements are needed (i.e. due to disability requirements or long-distance travelling).	Personal, contact and special category information (e.g. ethnicity, disability)	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> <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>
10. 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>
11. Undertake statistical research regarding the value and impact of the FA programme and to assist with policy development.	Personal, contact and special category information (e.g. ethnicity, disability)	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</li> </ul>

<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>
		of the Data Protection Act 2018 (Equality of opportunity or treatment).
12. To send you automated surveys from our Financial Information Processing System (FIPS) to monitor training performance.	Contact information	Because it is: <ul style="list-style-type: none"> <li>Based on your explicit consent</li> </ul>

### **About the apprentices' work placement employer**

- Personal and contact information for the work placement employer or their representatives. This includes name, 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 work placement 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 work placement 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 work placement 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.

We use your information to	To do that, we use	Why is fair & lawful for SDS to do this?
1. Contact the learning provider for the purposes of contract management and enforcing the terms of the FA 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 FA 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).

The information provided will also be shared with the relevant learning provider / work placement employer for the purpose of delivering the Foundation Apprenticeships programme.

We may share information (e.g. Scottish Candidate Numbers) with private/public organisations to carry out surveys and evaluations for the purpose of evaluating the

impact and effectiveness of the FA programme. Any private/public 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.

Work placement 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 work placement 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 FA Programme by your provider, your personal data submitted to SDS by you and/or your work placement 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 Foundation Apprenticeship, so that we can improve our service and better meet the needs of people across Scotland.

Personal data relating to apprenticeships which were funded by the European Social Fund (ESF) will be retained by SDS until 31st December 2028, for the purposes of monitoring and auditing checks.

The contact information of the work placement employer's representative will also be held from the date it is provided until 31st December 2028, 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/](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).