

Client

Employability & Skills Service & European Social Fund Programmes Privacy Notice

Purpose: This privacy notice will inform you why we collect your personal data, how long we will keep your data, about the intended processing of your data and any other information that will make the processing of your data fair, lawful and transparent in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act (2018). Should we intend to process your data for any reason that is not specified in this notice or for statutory functions we will contact you to provide information.

Who we are

Dumfries and Galloway Council is a local authority established under the Local Government etc. (Scotland) Act 1994 (“the Council”). We are a Lead Partner and Delivery Agent in the European Structural & Investment Funds 2014-2020 Programme and the data controller of the personal information being collected and processed. Our head office is located at Dumfries and Galloway Council, Council Headquarters, English Street, DG1 2DD. Email: contact@dumgal.gov.uk Telephone: 0303 333 3000 The Employability and Skills Service is located at Woodbank, 30 Edinburgh Road, Dumfries DG1 1NW. Email: ESSreferrals@dumgal.gov.uk Telephone 01387 260600

You can contact our Data Protection Officer by post at: Dumfries and Galloway Council, Council Headquarters, English Street, DG1 2DD; by email: dataprotection@dumgal.gov.uk and by telephone on 0303 333 3000

You can find more details of our role on our website at: <http://www.dumgal.gov.uk/privacy>

Why are we collecting your data and what we will do with it?

Our programmes include a range of services delivered by Council departments and external organisations appointed to deliver services on our behalf. Our European Structural Fund (“ESF”) programmes are part funded by European Social Funds – which are awarded to the Council by the Scottish Government.

You are giving us your personal information to allow us:

- To establish and evidence your eligibility and support your progression towards employment, further education, training or other positive outcomes
- To verify your identity where required
- To allow us to monitor the successes and performance of our services offered and by undertaking evaluations so that we know that public money is being spent appropriately and that we are providing the best possible support to those who need it. Any compiled results will be anonymous and will help us to improve the service we offer or for policy development
- To contact you for feedback regarding the quality of services provided to you

What personal information are we collecting from you?

Our records will include the data provided by you today, future attendance records, case notes, records of achievements (e.g. qualifications), records of outcomes (e.g. employment, further education and/or training) and any other documentation or correspondence relating to the support provided to you by the Employability & Skills Service or ESF Programmes.

What is the legal basis for collecting your data?

The legal basis under GDPR that allows us to process your data is Article 6(1) (e) – public task as the processing is necessary for the performance of a task carried out in the public interest (Data Protection Act 2018 section 8 (c) also applies).

As some of the data that is collected from you is classified under GDPR as special categories of personal data (e.g. those related to ethnicity, health disadvantages, and/or other barriers to employment), we require an additional legal basis to process it. This is provided under Article 9(2)(b) – processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller. (Data Protection

Act 2018 section 10 (1) (a) and 10(2) applies).

Information on criminal convictions and offences is also a special category of personal data and the basis for processing this information is provided under Article 10. (Data Protection Act 2018 section 10 (5) applies).

If you do not provide us with the information we have asked for then we will not be able to provide this service to you.

What will we do with your information?

Your information may be shared with other organisations delivering services as part of the Employability & Skills Service or ESF Programmes (e.g. Scottish Fire and Rescue Service, Police Scotland, NHS Dumfries and Galloway, Dumfries and Galloway College, Third Sector partners, other employability services, education and training services). The information shared with these organisations will include the information provided by yourself, referral organisations, Council Departments, external delivery partners, employers and/or other organisations participating in the ESF Programmes. Furthermore, The Council is required to pass your information to funders, administrators and auditors of public funds, currently Scottish Ministers, the Scottish Government and the European Commission. Any information passed to the Commission remains fully protected by EU Data Protection Laws.

The organisations that receive this information from us will only have our authority to process your data for the purposes that we have stated in this notice. If they wish to use your personal information for other purposes, these organisations will provide information to you about that at that time. We recommend that you review any privacy notice issued by any of these organisations in relation to their respective uses of your personal information.

How long will your data be stored in the Council?

We keep your personal information for the minimum amount of time necessary. Information that we need to retain for purposes of European Commission audit requirements will be retained in accordance with the rules set out in the EU Grant Funding Conditions. Currently the minimum retention date is to 31 December 2023, but if the programme(s) are extended the minimum retention date would be 31 December 2026.

Your Individual Rights

You have the right to:

- be informed about how your personal information will be used
- access your personal information
- withdraw consent where the legal ground for collecting your personal information is consent
- rectify your personal information, which means you have the right to request the Council to correct any inaccuracies.
- request deletion of your personal information where the Council no longer has a legal ground to hold your information.
- request that the processing of your personal information is restricted
- data portability, this means you can securely move your personal information from one IT place to another
- object to the Council processing your personal information
- know when the processing of your personal information is subject to automated-decision making and profiling
- request information on the source of the data if you did not provide it yourself
- request that the special category data is erased
- complain to the Council and the Information Commissioner in Scotland (details below)

Your responsibilities

To contact the Council as the data controller to update your information if it changes.

Complaints:

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If you consider that your personal data, or special category of personal data, has been misused or mishandled you may make a complaint. The Council aims to directly resolve all complaints about how we handle information, but you may also make a complaint to the Information Commissioner, who is an independent regulator.

The Information Commissioner in Scotland can be contacted at: Information Commissioner's Office – Scotland, 45 Melville Street Edinburgh EH3 7HL
0303 123 1113; Email: scotland@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.