

# Modern Apprenticeship Privacy Statement and Data Protection

## Privacy Statement

### Who are we?

Skills Development Scotland Co Ltd (which we sometimes refer to as "SDS", "we" or "us" in this notice) is the national skills body supporting the people and businesses of Scotland to develop and apply their skills.

### The Modern Apprenticeship Programme

The Modern Apprenticeship Programme ("MA Programme") is a programme operated by SDS supporting training of individuals (which we sometimes refer to as "participants", "you" or "your" in this notice), and which is funded by the Scottish Government.

### Who is this Privacy Statement for?

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

In making the MA Programme available to you, SDS will collect and process the following data about you.

- **Information you as a participant give to your MA training provider, which will include the following:-**
  - information that you provide about you and your personal circumstances;
  - 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; and
  - information you provide about yourself in the SDS equalities monitoring form and any disability or care leaver form.
- **Information the Employer gives to SDS about its employee representatives, which will include:-**
  - contact details of each representative from each Employer: name, address, telephone and email address.
- **Sources of Information**

SDS will receive the above information from you directly, from the training provider or from your employer.
- **Organisations we may pass your information to**

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- 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
  - 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 link the information collected on this form to information obtained from surveys we conduct with participants in order to better understand the link between the participant’s experience and satisfaction with Modern Apprenticeships and the participant’s own background characteristics. We will only report on the participant’s answers to the Equalities Monitoring form in an anonymised manner.**

- **Legal Bases for processing the information**

**This table sets out why we are required to process your personal data (as a participant on the MA programme) and also the personal data of the Employer, and why this is permitted under law. This is so that you are fully aware of what we do with your data as an organisation.**

	<b>SDS and these other organisations that may receive the information from us may use the information for one or more of the following purposes -</b>	<b>SDS is entitled to process the information as the intended processing, under the Data Protection Act and the General Data Protection Regulation, is -</b>
i	To 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	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>
ii	To generally help you find and retain suitable employment	Fair lawful because it is: <ul style="list-style-type: none"> <li>• necessary for SDS to comply with its legal obligations</li> </ul>

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		<ul style="list-style-type: none"> <li>necessary for reasons of the public interest</li> </ul>
iii	To monitor, audit and evaluate the quality of your individual training and the MA Programme 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>
iv	To monitor your 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>
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	<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>
vi	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> <li>necessary for reasons of substantial public interest</li> </ul>
vii	To monitor and evaluate the training against applicable educational standards	<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> <li>necessary for reasons of substantial public interest</li> </ul>
viii	To undertake statistical research regarding the value and impact of the MA Programme and to assist with policy development.	<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> <li>necessary for reasons of substantial public interest</li> </ul>

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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"> <li>necessary for reasons of legitimate interests</li> </ul>
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1. Please note that SDS or its agents may contact you as a participant in the MA Programme from time to time by telephone, post, text or email or indeed arrange to meet with you directly to discuss matters associated with the provision of your training for the purposes of quality monitoring, training provider compliance and quality assurance, validating training providers' claims for payment and/or measuring outcomes.
2. Once you have been verified as a participant under the MA Programme by your training provider, your personal data submitted to SDS by you and/or your employer or training provider will be retained by SDS from the date it is provided until:
  - 31<sup>st</sup> 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 Modern Apprenticeship, so that we can improve our service and better meet the needs of people across Scotland.

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 paragraph 4 below.

3. The contact information of the Employer's representative will also be held from the date it is provided until 31<sup>st</sup> December 2026, in line with how long we hold the participant's data for monitoring and auditing purposes.
4. SDS is the 'data controller' in respect of all of your personal data collected by SDS under the MA Programme. If you require any information regarding your personal data, please contact the DPO for SDS at [DPO@sds.co.uk](mailto:DPO@sds.co.uk).
5. If SDS make changes to this Privacy Notice we will post them on our website and, where appropriate, we will notify you by email. Please check back frequently to see any updates of changes to this Privacy Notice.
6. For more information about your rights under the Data Protection Act 1998 or, from 25 May 2018, the General Data Protection Regulation 2016 please see <https://www.skillsdevelopmentscotland.co.uk/about/policies/privacy> or the UK Information Commissioner's website at [www.ico.org.uk](http://www.ico.org.uk)

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