



Learners and Interested Parties Privacy Notice

May 2018

Stirling Community Enterprise Ltd (Including RURC Ltd)



Index

- 1.0 Scope
- 2.0 Key Definitions
- 3.0 Introduction
- 4.0 Fair Processing Principles
- 5.0 What data do we gather?
- 6.0 Why we collect personal data
- 7.0 How we store personal data
- 8.0 Sharing of Information
- 9.0 Using data to monitor and improve our services
- 10.0 How long do we keep hold of the personal data that we hold?
- 11.0 Digital Marketing
- 12.0 Putting you in control of your data
- 13.0 Exercising your rights
- 14.0 Getting in touch

1.0 Scope

This policy has been created to inform Learners and Interested Parties who interact with us about the way in which we treat the personal data that we process. Details contained within this policy apply to both Raploch Urban Regeneration Company Ltd (RURC) and its trading subsidiary Stirling Community Enterprise Limited (SCE). This policy compliments the Company's existing Data Protection Policy – Learners and Interested Parties can request a copy of this at any time.

2.0 Key definitions

2.1 Data processing

Data processing is any activity that involves the use of personal data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transmitting or transferring personal data to third parties.

2.2 Personal data

Personal data is any information identifying a data subject (a living person to whom the data relates). It includes information relating to a data subject that can be identified (directly or indirectly) from that data alone or in combination with other identifiers the Company possesses or can reasonably access. Personal data can be factual (for example, a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.

2.3 Sensitive personal data

Sensitive personal data is a special category of information which relates to a data subject's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health conditions, sexual life, sexual orientation, biometric or genetic data. It also includes personal data relating to criminal offences and convictions.

2.4 Information Commissioner's Officer (ICO)

The body that upholds information rights in the public interest, for example, relating to data protection and freedom of information.

2.5 Learner

A Learner is defined as any person who accesses the services funded or provided, solely or partially, by RURC or SCE. This includes school pupils, adults, volunteers and those on work experience placements.

2.6 Interested parties

An Interested Party is considered to be any agency, organisation or stakeholder who is interested in the services of RURC or SCE and engage with us in a way that could result in personal data being given to us.

2.7 GDPR

General Data Protection Regulation 2018

3.0 Introduction

RURC and SCE deliver a range of employability services within communities that are designed to improve people's ability to secure and sustain employment. In order to do this effectively and to allocate adequate resources based on our learners' needs, we collect certain pieces of personal information about our Learners and Interested parties.

This privacy notice outlines the data we collect, why we collect it, who we share it with, how we keep it safe, how long we keep it for and the rights of the individuals whose data we process.

Company data is audited to ensure that there is a legal basis for requesting, storing or using your data. A full version of our data audit for Learners and Interested Parties is available on request.

RURC and SCE are committed to ensuring that Learners and Interested Parties are able to clearly understand the way in which we use the personal data that we hold and we are committed to ensuring that your information is only used in a lawful way.

4.0 Fair processing principles

In processing Learner and Interested Parties data the following principles will be adhered to. Personal data will be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that are clearly explained and not used in any way that is incompatible with those purposes;
- Relevant to specific purposes and limited only to those purposes;
- Accurate and kept up to date;
- Kept only as long as necessary for the specified purposes; and
- Kept securely.

5.0 What data do we gather?

What we collect depends on the relationship you have with the organisation. The following sections outline what type of information is collected for different categories of people;

- 1) **Referred Learners** - If you are referred to us by another organisation or if you self-refer, we will ask you to complete a form that gathers certain pieces of personal information including your name, contact details and the reason for your enquiry.
- 2) **Registered Learners** - Additional personal and/or sensitive information about you is then gathered directly from you during the registration process if you choose to join one of our courses.
- 3) **Email enquiries** - If you send our staff an email or complete our contact form on our website, we will have details of your name and email address. This will enable us to respond to your query.
- 4) **Newsletter mailing list** – If you request to join one of our mailing lists for Company updates, we will have details of your email address to ensure that you receive your requested update.
- 5) **Website and social media visitors** – some information is processed via our website and social media channels, this is explained in more depth in Section 11.

6.0 Why we collect personal data

We have designed our paper and electronic systems to gather information that we need to;

- 1) Determine your eligibility and suitability for our services;
- 2) Arrange for you, at your request, assistance from other support agencies that you wish to engage with during your time with us;
- 3) Register you with, at your request, the accredited bodies relevant to the service you have chosen to access;
- 4) Communicate with you before, during and after your time with us;
- 5) Monitor the effectiveness of our diversity and equality policy;
- 6) Identify emerging areas of need and analyse trends in relation to the social and/or support needs of learners accessing our services;
- 7) To update you, at your request, on the areas of interest to you within our Company via our electronic newsletters or email distribution lists;
- 8) Demonstrate the impact of our services as requested by our funders.

7.0 How we store personal information

We are committed to ensuring that your information is secure. In order to prevent unauthorised access to your details we have put in place a physical, electronic and management procedure to safeguard and secure the information that we hold both on and offline.

8.0 Sharing of Information

At certain times it may be required to share your information with another organisation. Below are a list of reasons why we may be required to share a Learner's personal data. In some circumstances you may be asked to complete a Data Sharing Consent form to explain the reasons why to you during your time with us. We will only share the minimum amount of personal information required in each circumstance.

8.1 Learners accessing accredited or funded training provision

Depending on the opportunity you are registered for at SCE we may have to pass some personal details to accredited education bodies (on line and offline) or funding bodies including the SQA or CSCS and their external assessment Centres if we require to use them. If we require to share your personal data with such bodies we will give you a Data Sharing Consent Form to explain to you exactly who we require to share your information with and seek consent from you to do so.

8.2 Learners wishing us to arrange work experience placements for them

In some cases, we are required to share some of your personal information with our Partner Employers in order for us to secure your requested supported work experience placement. This may include your name, age and contact telephone number.

An Employer may ask you to disclose sensitive personal information about yourself such as previous criminal activity or outstanding police charges in advance of a placement starting. SCE will under no circumstances share any disclosure information with an Employer on your behalf **without your explicit consent**.

8.3 Learners who require a Disclosure Scotland check

At times learners may wish to access placements that by law demand a Disclosure Scotland check in order to determine their suitability for an opportunity with one of our Partner Employers. In some cases we will be required to countersign a Disclosure Scotland application (including PVG check or Update) to enable you to access specific placements that we have arranged for you on your behalf. Countersigning these applications provides us with a copy of the check carried out on you.

Due to the highly sensitive nature of these checks and the information provided, a Data Sharing Consent Form will be issued to you to **explicitly** confirm that you are happy for us to share your returned Disclosure Scotland information with the specific Employer potentially offering you a work placement.

Control will always sit with the learner to decide if a) they are happy for us to finalise the requested placement and share the relevant information that the Employer has requested or b) they would prefer us to source an alternative placement that does not require this level of information to be requested or shared.

8.4 Learners who wish us to put them forward for job opportunities

Local businesses can, at times, ask SCE for CV's of suitable candidates for their job opportunities. If you are a registered learner we may pass your CV to a potential Employer to allow them to consider you for their position. Your consent to do this will form part of your registration process.

8.5 Learners who require any form of financial payment

Some learners claim travel expenses during their time with us. Others may be entitled to receive payment for their time on their specific training opportunity. Where relevant, we need to pass on the required personal information including your disclosed bank details to our banking system to enable us to pay you as promised.

8.6 Learners accessing services funded by an Individual Training Account

Learners who use an ITA to fund an aspect of their training are required to provide SCE with proof of their income. We are required as a registered ITA provider to share this with Skills Development Scotland via their secure online data management system (FIPS).

8.7 Sharing your information with other support agencies

At times you may want your mentor or management at SCE to work alongside other agencies that you are engaged with in order for staff at SCE to better understand wider aspects in your life. We will only discuss your attendance, achievements and progress at SCE with the agencies (and if required individuals within the nominated agencies), that you have personally selected as part of your registration process.

We will not disclose your attendance, progress or achievements within our services with any agency that you do not wish us to including the agency that referred you to us in the first place.

Learners can **at any time** amend their choices surrounding which agencies or people within specific agencies that they wish or do not wish us to speak to.

9.0 Using data to monitor and improve our services

At SCE we monitor aspects of personal data that we collect to;

- Identify changes to the needs of our learners based on external factors e.g. welfare reform;
- Measure the level of support we need to offer in a certain area;
- Identify skills that we need to develop as a team to ensure that we can best support our learners;
- Ensure that we are compliant with our Diversity and Equal Opportunities policy;
- Identify customer groups that our services are not reaching in order to tackle this.

Data gathered during the registration process and throughout the course of your time with us may be collated with other learner information in an anonymised way in order for us to review this. This includes all of the information that you disclose on our Equal Opportunities Form as part of your registration.

10.0 How long do we keep hold of the personal data that we hold?

We keep certain aspects of personal data for different lengths of time. This can be dictated to us by the law, our funders, governing bodies, the Health and Safety Executive or our legal advisors. We have produced a Company Document Retention Guide to help you understand how long certain data is stored for. This guide is attached to this policy as Appendix GDPR 1.

We will conduct a regular review of the information that we hold to ensure that it is still relevant and legal for us to hold.

11.0 Digital marketing

11.1 Website – We use a third party service WordPress.com, to host our website. We use a standard WordPress service to collect anonymous information about users’ activity on our website for example the number of users visiting different pages on the site, to monitor and report on the effectiveness of the site and to allow us to make improvements.

This information is only processed in a way which does not identify anyone. If you contact us via our contact form you will be asked to consent to your name and email address being processed to enable us to respond to your enquiry – this will not be shared with any third party.

If we ever want to collect personal data via our website we will be up front about this and make it clear when we are collecting personal information and what we intend to do with it.

11.2 Use of cookies

Cookies are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owner of the site. We have attached information in Appendix GPR2 to explain the cookies we use and why.

11.3 Facebook

We use a Company Facebook account to promote our services and share good news stories. Individuals have to opt in to receive updates directly to their personal Facebook accounts and can opt out at any time. We review anonymous information about users' activity on our Facebook page for example the number of users visiting different pages on the site, to monitor and report on the effectiveness of the content and to allow us to make improvements. To see Facebook's privacy policy click [here](#).

11.4 Twitter

We use a Company Twitter account to promote our services to local agencies and people. Individuals must choose to 'Follow' us in order to receive updates directly to their personalised Twitter feed and can opt out at any time by selecting 'Unfollow'. We review anonymous information about users' activity on our Twitter page for example the number followers and the reach of our posts to monitor and report on the effectiveness of the content and to allow us to make improvements. To see Twitter's privacy policy click [here](#).

11.5 E-newsletters

We use a third party, MailChimp, to distribute our newsletters to people including Learners and Interested Parties who request to receive them. We gather anonymous information around email opening and clicks to help us monitor and improve our e-newsletter. For more information see MailChimp's privacy notice by clicking [here](#).

People must opt in to receive our newsletter and can opt out at any time using the 'Unsubscribe' option within the newsletter. Where we distribute more than one type of newsletter, individuals will only receive the specific themed e-newsletters that they have opted in to receive. People who unsubscribe will have their emails removed from the automated distribution list.

11.6 Security and performance

We use a highly reputable third party service, [2e-volve](#), to help maintain the security and performance of the SCE website. To deliver this service it processes the meta data of visitors to the SCE website – this data does not contain any information that makes visitors personally identifiable to them or us.

12.0 Putting you in control of your data

There a number of rights that you have in relation to the personal data that we hold on you.

- 1) **Data erasure:** learners can request erasure of their data in certain specified circumstances, for example where the data is no longer required for its original purpose or where consent to processing has been withdrawn and we have no other lawful basis for processing. Where we continue to have a lawful basis for processing we may not have to comply with a request for erasure.
- 2) **Right to data rectification:** learners are entitled to have personal data rectified if it is inaccurate or incomplete. If we have disclosed the data in question to a 3rd party, we must inform them of the changes required.

- 3) **Data portability:** this right allows learners to receive your personal data in a “structured commonly used and machine readable format” and to transmit data in that format to another Data Controller.
- 4) **Right not to be subject to automated decision making:** learners have the right not to be subject to decisions based on automated data processing if the decisions produce legal effects on the individual or significantly affect them.

13.0 Exercising your rights

To exercise any of your rights listed above, you should send in a written request for the attention of our Data Protection Officer specifying the information sought or rights you wish to exercise. You can do this via email or post.

There will be **no charge** made for this and in accordance with GDPR we will respond to you within the maximum time scale of **30 days** from receipt of the written request.

Please see our Data Protection Policy for further information relating to Data Subject Access Requests.

14.0 Still have questions? Get in touch

If you have any questions regarding our Privacy Notice or Data Protection please contact us via email, phone or post.

Data Protection Officer

Stirling Community Enterprise

146 Drip Road

Stirling

FK8 1RW

Email: contact@stirlingcommunityenterprise.co.uk



Phone: 01786 472885

Appendices

Appendix GDPR1 Data Retention Guidance

Appendix GDPR2 Cookie Usage

Appendix GDPR1

			
Stirling Community Enterprise & RURC Document Retention Guidance - as at May 2018			
<u>Learners</u>	Retention Period	Guidance for retention	
Unsuccessful ALBA referral forms	Electronic for 2 years		
Successful ALBA referral forms	July 2027	Stirling Council Service Level Agreement	
ALBA Registration information and client file	July 2027	Stirling Council Service Level Agreement	
EIIF client records	April 2024	Scottish Government EIIF Grant Guidance	
SQA SOLAR data	12 months upon completion of award	SQA Centre Guidance	
SQA management records	12 months upon completion of award	SQA Centre Guidance	
ESF client records	31st Dec 2020 at the earliest	Government requirement	
ERDF client records	Continue to hold - date not confirmed	Government requirement	
ITA sales records	6 years from the end of the financial year that they relate to.	Government requirement	
ITA proof of income records	3 years from the date of the course	Skills Development Scotland requirement	
Sales records	6 years from the end of the financial year that they relate to.	Government requirement	
<u>Employee</u>			
Full HR file	6 years post leaving date	LAW guidance	
Monthly Staff Payroll records	6 years from the financial year-end in which payments were made.	LAW guidance	
Pension Enrollment Information	6 years from final payment date	LAW guidance	
Records of staff training, professional members	6 years post leaving date	LAW guidance	
Disciplinary and grievance records	6 years post leaving date	LAW guidance	
Occ Health - HR31 & HR32	6 years post leaving date	LAW guidance	
Health Surveillance Records	6 years post leaving date	LAW guidance	
Maternity / Paternity docs for the purposes of processing pay	3 years from the end of the tax year that the maternity/paternity pay relates to.	LAW guidance	
Sickness records required for the purposes of processing SSP	3 years from the end of the tax year that the sick pay relates to.	LAW guidance	
Timesheets - Non salary staff (can be electronic)	3 years post the end of the pay period that the timesheets relate to	LAW guidance	
Right to Work Checks	2 years post leaving date	Government Guidance	
Signed Flexi Sheets (can be electronic)	2 years from present date	LAW guidance	
Criminal Declaration forms	90 days maximum from suitability decision being made	LAW Guidance	
Disclosure Scotland Certificates	90 days maximum from suitability decision being made	RURC Policy	
Photographs for marketing purposes	Jul-27	Stirling Council Service Level Agreement	
<u>Unsuccessful Job Applicants</u>			
Application information	6 months post interview	LAW Guidance	
Criminal Declaration forms	6 months post interview	LAW Guidance	
<u>Other</u>			
Accident Report Forms	3 years from date of report	LAW Guidance	



Stirling Community Enterprise Website Cookies

Cookies are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owner of the site.

Cookies from our website www.stirlingcommunityenterprise.co.uk are:

PHPSESSID – The users current session ID. Session cookies prevent previous users of the site being treated as new users and ensure that they only have to enter first time visitor information once and not everytime they enter the site.

viewed_cookie_policy – This stores if they user has seen and accepted the cookie pop-up on the site and prevents it showing again.