

## **Privacy Notice**

The West Yorkshire Consortium of Colleges (WYCC) is required to collect and share information in relation to the projects it delivers and the funding it receives.

All participant data subjects whose personal data is collected and WYCC staff/representatives are in scope for this privacy notice, in line with the requirements of the Data Protection Act 2018 (DPA) and General Data Protection Regulation (GDPR).

This privacy notice should be read in conjunction with the DWP's Personal Information Charter, which can be accessed using the link below.

The Data Protection Officer / GDPR Owner is responsible for ensuring that this notice is made available to data subjects prior to West Yorkshire Consortium of Colleges collecting/processing their personal data.

West Yorkshire Consortium of Colleges representatives who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention and their consent to the processing of their data is secured.

### **Who are we?**

**The West Yorkshire Consortium of Colleges (WYCC)** brings businesses, organisations and training providers together to deliver workforce training and skills support, funded by the European Social Fund (ESF). These programmes contribute to the economic growth of the Leeds City Region, tackle social mobility and connect the education and business sectors.

Our Data Protection Officer / GDPR Owner and data protection representatives can be contacted directly here:

E-mail: [joanne.patrickson@westyorkshirecolleges.ac.uk](mailto:joanne.patrickson@westyorkshirecolleges.ac.uk)

Tel: 0113 2162041

### **The purposes of the data processing**

The information you provide to West Yorkshire Consortium of Colleges will be shared with the Department for Work and Pensions (DWP) and used to evaluate this project and to report to the West Yorkshire Consortium of Colleges and European Social Fund for monitoring purposes, in line with European Commission regulatory requirements.

Your information will also be shared with research organisations working on behalf of the Department for Work and Pensions who may contact you to discuss your involvement in the project for research purposes. Participation in research is voluntary and you will be asked to consent before taking part in any research activity you may be contacted about.

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The DWP may also link your personal details to official administrative records in order to monitor your employment status before your ESF support began and 6 to 12 months after you left. This information may also be shared with research organisations working on behalf of the DWP however individuals will **not** be identifiable and you will **not** be contacted about this research.

Data will **not** be used or shared for any commercial or marketing purposes. At all times your information will be kept securely, and nobody will have access to it that shouldn't.

### **For Participants / Beneficiaries**

The personal data we would like to collect from you is:

- personal details (e.g. name, address, date of birth, national insurance no.)
- family detail
- lifestyle and social circumstances
- financial details
- educational level
- employment details
- visual images and recordings (CCTV, Photographs, Video)
- physical and mental health details
- racial or ethnic origin
- religious or other beliefs
- offences and alleged offences
- criminal proceedings, outcomes and sentences

The personal data we collect will be used for the following purposes:

- participant records management
- examinations and achievement
- safeguarding
- funding claims
- participant support
- participant learning – IT systems (email, storage, e-learning)
- marketing and publicity including social media postings (as statistical, collective data and not individual data, unless additional permission is provided eg. for participant case studies)
- performing legitimate business operations within West Yorkshire Consortium of Colleges
- research, review and evaluation

We sometimes need to share the personal information we process with the individual themselves and also with other organisations. Where this is necessary we are required to comply with all aspects of the DPA and GDPR. What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons.

Where necessary or required we share information with:

- family, associates and representatives of the person whose personal data we are processing
- professional advisers
- current employers
- educators and examining bodies
- suppliers
- survey and research organisations
- persons making an enquiry or complaint
- press and the media
- local and central government
- security organisations
- police forces, prison and probation services, courts and tribunals
- suppliers and service providers

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### **The lawful basis for the processing**

For the purposes of the General Data Protection Regulation (GDPR), the DWP is the data controller in respect to information processed which relates to all participation in the European Social Fund. ESF grant beneficiary organisations are data processors in respect to information processed which relates to participants in the operations and projects funded by the European Social Fund.

DWP is **not** the controller for any other / additional data collected by West Yorkshire Consortium of Colleges that is not essential for delivering the ESF programme, or for any personal data that would normally be collected anyway by West Yorkshire Consortium of Colleges.

The **ESF Programme Action Note 018/18** sets out the lawful basis for processing personal data under ESF.

West Yorkshire Consortium of Colleges processes personal data for the legitimate interests of the delivery of the ESF funded project as the data processor on the following legal basis:

- The data subject has given clear consent to their data being processed
- Processing of the data is necessary in order to fulfil the obligations of the ESF contract
- Article 6 (1) (e) GDPR - Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- Article 9 (2) (b) GDPR - Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

In addition to the DWP data will be shared with the following organisations:

- European Structural Investment Fund (ESIF)
- Local Enterprise Partnership / Combined Authority
- Awarding Bodies
- Police forces, courts and tribunals
- Local and central government

### **Disclosure**

West Yorkshire Consortium of Colleges will only pass on your personal data to third parties where it is necessary for completion of the contract. The following third parties will receive your personal data for the following purpose(s) as part of the processing activities:

Purpose - Evidence to support claim for ESF funds - Dept of Work and Pensions

Purpose - Evidence to support claim for ESF funds - European Social Fund

(forwarded by DWP as Managing Authority)

Purpose - Company support data sharing and intelligence - West Yorkshire Combined Authority (Leeds City Region LEP)

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### **The retention periods for the personal data**

All personal data held by DWP or research contractors **for the purposes of evaluation** will be permanently deleted no more than six months after the research has been completed (i.e. when the final report is published on GOV.UK).

**Personal data held by DWP for all other ESF purposes as required by European Commission regulations will be retained in line with the current guidance on GOV.UK at:**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/591617/ESF\\_Guidance\\_on\\_document\\_retention.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/591617/ESF_Guidance_on_document_retention.pdf)

West Yorkshire Consortium of Colleges will process personal data for you whilst you are a participant and will store the personal data for a number of years.

The retention period for different projects will be confirmed by the Managing Authority at the end of the project, but will be at least two years after the Audit Authority submits the Annual Control Report in which the final expenditure for the completed project is included.

Where State Aid has been received records must be kept for 10 years after the last aid is granted under the scheme.

**The full guidance on the retention of documentation can be viewed here:**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/591617/ESF\\_Guidance\\_on\\_document\\_retention.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/591617/ESF_Guidance_on_document_retention.pdf)

### **Your rights as a data subject**

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right to object – you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling.
- Right to judicial review: in the event that West Yorkshire Consortium of Colleges refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined below.

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### The rights available to individuals in respect of the processing

If you do not wish your personal data to be used for ESF evaluation purposes please contact [ESF.EVALUATIONS@DWP.GSI.GOV.UK](mailto:ESF.EVALUATIONS@DWP.GSI.GOV.UK) and we will delete your data held for these purposes and you won't be contacted about participating in research.

More information about how and why DWP uses your personal information, including how to ask for a copy of the personal information DWP holds about you can be found in DWP's *Personal Information Charter* at: <https://www.gov.uk/government/organisations/department-for-work-pensions/about/personal-information-charter>

Information about how to ask for a copy of the information DWP holds about you (known as a 'Right of Access Request') can be found at:

<https://www.gov.uk/guidance/request-your-personal-information-from-the-department-for-work-and-pensions>

### Complaints

In the event that you wish to make a complaint about how your personal data is being processed by West Yorkshire Consortium of Colleges (or third parties as described above), or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and West Yorkshire Consortium of Colleges data protection representatives Data Protection Officer / GDPR Owner. The details for each of these contacts are:

Supervisory authority contact details: <https://ico.org.uk/concerns/> Tel: 0303 123 1113

Data Protection Officer (DPO)/GDPR Owner contact details:  
Joanne Patrickson, West Yorkshire Consortium of Colleges, C/O Leeds City College Technology Campus, Cookridge Street, Leeds, West Yorkshire LS2 8BL  
[joanne.patrickson@westyorkshirecolleges.ac.uk](mailto:joanne.patrickson@westyorkshirecolleges.ac.uk) Tel: 0113 2162041

### Online privacy statement

#### Personal data

Under the EU's General Data Protection Regulation (GDPR) personal data is defined as:

"any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

#### How we use your information

This privacy notice tells you how we, West Yorkshire Consortium of Colleges, will collect and use your personal data.

#### Why does West Yorkshire Consortium of Colleges need to collect and store personal data?

In order for us to provide you with a service we need to collect personal data concerning your employment, course studies and examinations. In any event, we are committed to ensuring that the information we collect and use is appropriate for this purpose, and does not constitute an invasion of your privacy.

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In terms of being contacted for marketing purposes West Yorkshire Consortium of Colleges would contact you for additional consent.

### Will West Yorkshire Consortium of Colleges share my personal data with anyone else?

We will pass your personal data on to the DWP/European Social Fund and third-party service providers contracted to West Yorkshire Consortium of Colleges in the course of dealing with you. Any third parties that we may share your data with are obliged to keep your details securely, and to use them only to fulfil the service they provide you on our behalf. When they no longer need your data to fulfil this service, they will dispose of the details in line with their procedures. If we wish to pass your sensitive personal data onto a third party we will only do so once we have obtained your consent, unless we are legally required to do otherwise.

How will West Yorkshire Consortium of Colleges use the personal data it collects about me? West Yorkshire Consortium of Colleges will process (collect, store and use) the information you provide in a manner compatible with the EU's General Data Protection Regulation (GDPR). We will endeavour to keep your information accurate and up to date, and not keep it for longer than is necessary. West Yorkshire Consortium of Colleges is required to retain information in accordance with the law, such as information needed for income tax and audit purposes. How long certain kinds of personal data should be kept may also be governed by specific educational requirements and agreed practices. Personal data may be held in addition to these periods depending on individual business needs.

### Under what circumstances will West Yorkshire Consortium of Colleges and associated third parties contact me?

Our aim is not to be intrusive, and we undertake not to ask irrelevant or unnecessary questions. Moreover, the information you provide will be subject to rigorous measures and procedures to minimise the risk of unauthorised access or disclosure.

Can I find out the personal data that West Yorkshire Consortium of Colleges/DWP holds about me? (Right of Access Requests). DWP at your request, can confirm what information we hold about you and how it is processed. If the consortium does hold personal data about you, you can request the following information:

- Identity and the contact details of the person or organisation that has determined how and why to process your data. In some cases, this will be a representative in the EU.
- The purpose of the processing as well as the legal basis for processing.
- If the processing is based on the legitimate interests of West Yorkshire Consortium of Colleges or a third party, information about those interests.
- The categories of personal data collected, stored and processed.
- Recipient(s) or categories of recipients that the data is/will be disclosed to.
- If we intend to transfer the personal data to a third country or international organisation, information about how we ensure this is done securely. The EU has approved sending personal data to some countries because they meet a minimum standard of data protection. In other cases, we will ensure there are specific measures in place to secure your information.
- How long the data will be stored.
- Details of your rights to correct, erase, restrict or object to such processing.
- Information about your right to withdraw consent at any time.
- How to lodge a complaint with the supervisory authority.
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- The source of personal data if it wasn't collected directly from you.
- Any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.

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### What forms of ID will I need to provide in order to access this?

The following forms of ID can be used when information on your personal data is requested: Passport, driving licence, birth certificate, utility bill (from last 3 months), etc.

### Document Owner and Approval

The West Yorkshire Consortium of Colleges Data Protection Officer is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of the GDPR.

A current version of this document is available to all members of staff and participants on the West Yorkshire Consortium of Colleges Website