



South Tyneside Skills South Tyneside Privacy Notice

Introduction

This Privacy Notice explains types of personal information we may collect about you when you interact with us. It also explains how we will store and handle that information, as well as keep it safe and secure.

We will keep our privacy notice under regular review and will advise you of any updates on our website.

This Notice was last reviewed in July 2021.

Who we are

For the purposes of Data Protection legislation, South Tyneside Council's Skills South Tyneside is the Data Controller operating under contract with the Education and Skills Funding Agency (ESFA) acting on behalf of the Department for Education (DfE).

As Data Controller we must:

- Use your personal information fairly and lawfully.
- Only use your personal information for the purposes it has been provided for, unless required to by law.
- Only collect as much personal information as needed for the services you require.
- Keep your personal information accurate and up to date.
- Only keep your information for as long as necessary.
- Use your personal information in accordance with your rights.
- Keep your personal information safe and secure.
- Not transfer your personal information outside the European Economic Area unless adequate levels of protection are in place.

What is personal information?

Personal information is defined as any information which relates to a living individual who can be identified either:

- From the information we hold.
- From the information combined with any other information which is already in the possession of, or likely to come into the possession of, the person or organisation holding the information.

Personal information also includes any expression of opinions about an individual, and any indication of the intentions of the data controller (i.e. the Council) or any other person in respect of the individual.

What type of personal information do we collect?

We may collect the following types of personal information:

- Personal details such as gender, names, addresses, telephone numbers, email addresses



- National Insurance Number
- Duration of residency in the UK/EU
- Details of learning disabilities/learning difficulties
- Personality and character references
- Family, lifestyle and social circumstances
- Education and training details
- Employment details
- Financial details
- Details of state benefits
- Household information
- Goods or services provided
- Racial or ethnic origin
- Physical health or mental condition
- Information relating to health and safety
- Complaints, accidents, incident details

If we need to collect personal information not covered in this list you will contact you in advance.

How do we collect personal information?

We may collect your personal information in a number of ways, for example:

- Forms you have completed and given to us.
- Contact you have made with us through our website, telephone, emails or letters you have sent to us, as well as contact made through social media sites operated by us and the Council.
- When you apply for a job vacancy.
- Referrals made to us from outside organisations.
- Drop-in or consultation sessions.
- We may also take photographs at our events, our properties and in our communities to use for general marketing and publicity. However, photographs of individuals and case studies will only be used for these purposes with consent.

Why do we collect your personal information?

South Tyneside Skills South Tyneside has notified the Information Commissioner that personal information will be held and used for the following purposes:

- Staff administration
- Advertising, marketing and public relations
- Accounts and records
- Education
- Benefits, grants and loan administrations
- Provision of career advice
- Information and administration
- Research
- A duty to improve the health of South Tyneside



Who might we share your personal information with?

We may share your personal information with other services run by the ESFA, other parts of the DfE, and partner organisations, where the law allows it or we have a legal obligation to do so:

- with a third party who is working for ESFA under contract
- with organisations for the purposes of:
 - administration
 - provision of career and other guidance
 - statistical and research purposes, relating to education, training, employment and well-being
 - prevention or detection of crime

Other organisations include:

- Department for Work and Pensions
- Local and Combined Authorities in England
- Higher Education Statistics Agency
- Office for Standards in Education
- Institute for Apprenticeships
- educational institutions and organisations performing research and statistical work on behalf of the Department for Education, or partners of those organisations

Individual services may share your personal information with other organisations which are relevant in order to provide the service they are carrying out on your behalf. In these instances the service area should inform you who they intend to share your personal information with.

How long will we keep your personal information?

We will only keep your personal information for as long as necessary. The Council is required to retain your personal and course information for a statutory period of 13 years.

At the end of the retention period it will be reviewed and deleted, unless there is any legal reason for keeping it.

What is our legal basis for using your personal information?

To use your personal information there must be a lawful basis to do this, such as, through a contract, performing a public task or where there is a legal obligation. Most of our services will be processed as a public task set out in Article 6 (1) (e) of the General Data Protection Regulation where “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”.

Skills South Tyneside will use your personal information under the following legislation:





- Children Acts 1989 and 2004
- Care Act 2014
- Freedom of Information Act 2000 (FoIA)
- Data Protection Act 2018

The GDPR sets a high standard for consent to use people's information. Consent requires a positive opt-in. Pre-ticked boxes or any other consent method by default is no longer allowed.

Whilst the majority of information you provide to us is a mandatory requirement for us to provide services to you, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice about whether you need to provide the information and how your data is used. However, if you choose not to share your personal data with us in these circumstances, this may affect our ability to improve our services and our service offer to you as a customer.

If consent is the only legal basis used to process your personal information, you can withdraw your consent at any time. Consent can be withdrawn online, by email, telephone or face-to-face.

Direct Marketing

South Tyneside Skills South Tyneside may occasionally want to use your name and contact details to inform you of upcoming events, offers and services. If Skills South Tyneside wishes to use your personal information for these purposes we will always ask for your explicit consent before doing so.

Unless you are told otherwise, this information will not be shared with third parties and you can unsubscribe at any time by phoning 0191 427 7000, emailing customerhelp@southtyneside.gov.uk or by clicking the 'unsubscribe' button on our marketing emails.

You will always be asked to opt-in to direct marketing and this should always be a clear, affirmative action, such as ticking an opt-in box.

Any information you provide us for marketing purposes will be kept with us until you notify us that you no longer wish to receive this information.

How do we keep your personal information secure?

We recognise the professional responsibility we have to safeguard the information of individuals. The security of your personal information is important to us and we follow a range of security policies and procedures to ensure that access to, and use of your information is controlled and appropriate.

Some examples of our security measures include:

- Controlling access to Council systems and networks preventing any unauthorised access to your personal information.
- Using encryption methods such as passwords so that only people with specific access rights can view it.
- Pseudonymisation, meaning that we will change some personal details such as name, date of birth etc. so that someone with access to the data will not know whose personal information it belongs to.



- Our staff are regularly trained in data protection to make them aware of their responsibilities when using personal information and how and when to report if something goes wrong.
- We regularly test our technology and working practices to keep up to date on the latest security update.

Is your personal information used overseas?

In most cases Skills South Tyneside will not process your personal information outside of the European Economic Area (EEA). In instances where your personal information needs to be transferred to a country or territory outside the EEA that country or country or territory must ensure an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

What are your rights?

Your individual rights are set out in law. Subject to some legal exemptions, you have the following rights:

Right to be informed

You have the right to know about the collection and use of your personal information, including:

- Why it is collected.
- How it is used.
- Who it is shared with.
- How long it is kept for.

Right of access

You have the right to obtain a copy of your personal information and supplementary information to understand how and why we are your information and that we are using it lawfully. This is commonly known as a Subject Access Request (SAR).

Right to rectification

You have the right to have inaccurate personal information rectified. You also have the right to have incomplete personal information completed - although this may depend on the reasons for using your personal information.

Right to erasure

In certain circumstances you have the right to have your personal information erased. This is also known as the 'right to be forgotten'. The right to erasure does not apply to all cases such as complying with a legal obligation, performing a task set out in the public interest or for the establishment, exercise or defence of legal rights.



Right to restrict processing

You have the right to request Skills South Tyneside to restrict using your personal information in some circumstances. This may be because you are challenging the accuracy of the information and we are verifying the accuracy of the data. In most cases we will not need to restrict using your personal information indefinitely, but will need to have the restriction in place for a certain period of time.

Right to data portability

You have the right to receive personal data you have provided to us in a structured, commonly used and machine readable format. Individuals also have the right to request that a controller transmits this data directly to another controller - this is commonly used for banking and insurance purposes when wanting to switch providers and is not commonly used by Councils.

Right to object

You have the right to object to Skills South Tyneside using your personal information. The right to object only applies in certain circumstances and requests to object using personal information will be considered on an individual basis. Skills South Tyneside will be unable to stop using personal information if it is needed to carry out a statutory function.

Rights in relating to automated decision making and profiling

Automated individual decision-making is a decision made by automated means without any human involvement. An example of this would be an online decision to award a loan. Profiling can be used to find out about individuals' preferences, predict behaviour or make decisions about people. Skills South Tyneside will not make any solely automated decisions on you that have any legal or similarly significant event on you.

Contact us

If you would like to exercise your rights in relation to your personal information, or you feel that something has gone wrong with your personal information, you can contact our Data Protection Officer (DPO) in either of the following ways:

By email: data.protection@southtyneside.gov.uk

By telephone: 0191 424 6539

In writing:

South Tyneside Council
Information Governance
Town Hall and Civic Offices
South Shields
NE33 2RL



If you feel that Skills South Tyneside has not handled your information correctly you can contact the Data Protection Officer at the above contact details or the Information Commissioner's Office (ICO). The ICO is the Government's Independent Body responsible for overseeing data protection. In most cases the ICO will only review cases that have exhausted the Council's internal procedures.

The ICO's contact details are as follows: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF. More information can be found on the ICO's website at www.ico.org.uk

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Date Issued	July 2021	Review Date	July 2022