

## Layered Privacy Notice

### Activity/Processing being undertaken: Edinburgh College/Flexible Workforce Development Fund (FWDF) Courses

Edinburgh Napier University provides this information to explain how we use your personal data. Protecting your personal data is important to us and we only collect and process data which is necessary for us to provide the information, services and goods you require. This is in compliance with UK data protection legislation (“the legislation”), that is, the UK Data Protection Act 2018 (“DPA 2018”) and the General Data Protection Regulation: EU 2016-679 (“GDPR”) as amended by “EU Exit” Regulations 2019 and now known as the UK GDPR.

#### Who is collecting the information?

Edinburgh Napier University as the “Data Controller”.

#### Who are we sharing your Personal Data with (externally)?

Edinburgh College who will then become data controller.

You can view their Privacy Notice below this one.

The University undertakes to maintain your information securely and will restrict access to employees, our professional advisers, authorised agents and contractors on a strictly need to know basis. We will only disclose your data to external third parties (other than any specified above) where we:

- Are required to do so under a statutory or legal obligation, or
- Are permitted to do so by Data Protection legislation.

#### Why are we collecting it/what we are doing with it (purposes)?

To facilitate your enrolment with Edinburgh College.

#### What is the legal basis for processing?

The legal basis relied on will be Article 6(1)(b): “processing is necessary for the performance of a contract, i.e. Edinburgh College’s contract with Edinburgh Napier University to deliver training to staff through the Flexible Workforce Development Fund.

#### How are we collecting this information?

From HR Connect.

#### What information are we collecting (whose information and what type of personal data)?

Staff who have indicated that they wish to undertake training with Edinburgh College

- Name
- Postcode
- Date of Birth
- Gender

Date of Birth and Gender are collected as they are required by the Scottish Funding Council for statistical analysis to ensure that intended targets for the funding, in

terms of equality and diversity, are being met. For full information on how your data is processed by Edinburgh College please see their Privacy Notice below.

### **Who can see your information within the University?**

Learning and Development staff

### **How long is your information kept?**

This specific information is passed to Edinburgh College for the purposes above. They will hold the data for 6 years from the end of the course.

Further information can be found online at:

<https://staff.napier.ac.uk/services/governance-compliance/governance/records/Pages/RecordsRetentionSchedules.aspx>

### **Who keeps your information updated?**

NA. See Edinburgh College's Privacy Notice below for details on how to keep your information updated with them.

### **Will your information be used for any automated decision making or profiling?**

No

### **Is information transferred to a third country? Outside the EEA and not included in the adequate countries list.**

No

### **Is any other information available?**

\*This information is provided to supplement the University's main Privacy Notices and it is recommended that appropriate notices are reviewed to provide full information about how the University processes personal data.

You can access all the University's privacy notices using the following URL:

<https://www.napier.ac.uk/privacy-policy>

\*You have a number of rights available to you with regards to what personal data of yours is held by the University and how it is processed – to find out more about your rights, how to make a request and who to contact if you have any further queries about Data Protection please see the information online using the following URL:

<https://www.napier.ac.uk/privacy-policy>

## **Privacy Notice for Flexible Workforce Development Fund (FWDF)**

**Important Information for Employers:** It is essential that all staff/employees undertaking a course at Edinburgh College, which is being funded through the Flexible Workforce Develop Fund, read this privacy notice prior to starting their course with us. Each candidate must be aware that their data is being collected from Edinburgh College. This notice provides more detail around their data, why we are collecting it and what it gets used for. This notice must be provided to them to meet the right to be informed as detailed in data protection legislation.

Edinburgh College is providing you with this information in order for us to comply with data protection law which requires us to tell you what we do with your personal information. This is known as the right to be informed and such notices should be provided when your personal data is collected.

### **Who is collecting the information?**

Edinburgh College is the “Data Controller”

### **Why are we collecting it/what we are doing with it (purposes)?**

**Purpose 1:** As your course is being funded through the Flexible Workforce Development Fund (FWDF), we are required to enrol each participant into the college so that we can report back to the Scottish Funding Council, who are supplying the funding.

**Purpose 2:** We require this information to enable us to enrol you into Edinburgh College. This information is required as part of the FWDF.

**Purpose 3:** As most of our courses have information hosted on our online learning system (Moodle), we require this information in order to grant access to any participants on our courses.

### **What is the legal basis for processing?**

Edinburgh College is governed by various education legislation, including the Further and Higher Education (Scotland) Act 2005. In this Act, Section 11(3)(a) states: “*The activities are - the provision of fundable further education and fundable higher education by the fundable post-16 education bodies*”. This means that the condition for processing your personal information is “*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 data controller*” (Article 6(1)(e) of the General Data Protection Regulation (GDPR)).

### **How are we collecting the information?**

The information will be collected from the key contact at the organisation/s in question. They will collect all of the data and send onto Edinburgh College to process the information for enrolment on the course.

### **What information are we collecting (whose information and what type of personal data)?**

Candidates put forward for training courses at Edinburgh College via their employer, where the course is being funded through the FWDF, as required from the Scottish Funding Council and the accredited bodies as listed in this notice.

The information required for each candidate is Title, Full Name, Gender, Postcode and Date of Birth.

### **Who can see your information within Edinburgh College?**

Only Edinburgh College staff that require access to administer the course. This includes the class tutors, student records, business development advisors and course administrators.

### **Who are we sharing your Personal Data with?**

The Scottish Funding Council (SFC) – for statistical, funding and audit purposes.  
Associate trainers who deliver your course of study on behalf of Edinburgh College.

### **How long do we hold your personal data?**

SFC requires Edinburgh College to retain your personal data for 6 years for audit purposes.

### **How Secure is your Information?**

Information is stored on servers located in secure Edinburgh College datacentres. Information on these servers is backed up regularly. The College has various information governance policies including an information security policy and procedures to ensure that appropriate organisational and technical measures are in place to protect your personal data.

The eLearning platform used at Edinburgh College, Moodle, is held on Edinburgh Napier University servers. These are secure with appropriate technical and organisational measures in place at the server centre.

### **Who keeps your information up to date?**

Edinburgh College student records or commercial administration staff will keep your records up to date.

**It is up to the student to contact Edinburgh College to keep us informed of any changes.**

### **Will your information be used for any automated decision making or profiling?**

No

**Is information transferred to a third country? Outside the EEA and not included in the adequate countries list? No**

### **What are my rights?**

Under data protection law you have a number of rights regarding how an organisation processes your personal data. You have various right including:

- Be informed (Privacy Notice)
- Right of access to the personal information Edinburgh College holds about you.
- To change any personal information that's wrong, or out of date.
- The right to restrict the processing
- The right to to object
- The right to erasure (commonly known as the 'right to be forgotten')

If you want to know more about your rights, or if you want to contact Edinburgh College to make use one or more of your rights, please email [DP@Edinburghcollege.ac.uk](mailto:DP@Edinburghcollege.ac.uk) or phone 0131 297 8663.

**What do I do if I'm unhappy with the way my information is being used by Edinburgh College?**

You can contact Edinburgh College's Information Management team by emailing [DP@Edinburghcollege.ac.uk](mailto:DP@Edinburghcollege.ac.uk) or you can speak to the team on 0131 297 8663. The team will be happy to help; but we also have an independent Data Protection Officer (DPO) you can speak to if you'd prefer – they can be contacted using the email address and telephone number above.

Or, you can contact the UK Information Commissioner's Office (ICO) by calling their helpline on 0303 123 1113. (The ICO make sure organisations across the UK treat your personal information properly).