



Skills Your Way

European Social Fund

Participant Privacy Notice

The purposes of data processing

The information you provide to The Learning Partnership for Cornwall & the Isles of Scilly (LPCo) will be shared with the Department for Work & Pensions (DWP) and used to evaluate this project and to report to the LPCo 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 & 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.

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.

Data protection principles

Data protection law says that the personal information held about you must be:

- used lawfully, fairly and in a transparent way
- collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- relevant to the purposes we have told you about and limited only to those purposes
- accurate and kept up to date
- kept only as long as necessary for the purposes we have told you about
- kept securely

Data Controllers

Department for Work and Pensions (DWP) ESF Managing Authority and The Learning Partnership for Cornwall & the Isles of Scilly (LPCo) are joint Data Controllers for this project.

Department for Work and Pensions (DWP) ESF Managing Authority is the controller for all personal data required to help deliver the ESF programme under the terms of its ESF Funding Agreement.

What is the lawful basis for controlling or processing personal data under ESF?

- Lawful basis for processing personal data in ESF

The DWP ESF Managing Authority, will be processing personal data in the ESF programme according to the following lawful basis:

- 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’.

What is the lawful basis for controlling or processing ‘special category’ data under ESF (e.g. health, ethnicity)?

- Article 9(2) (b) GDPR

This article of the GDPR provides DWP with the lawful basis for processing ‘special category’ (sensitive) data:

“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;”

The Learning Partnership for Cornwall & the Isles of Scilly (LPCo) is controller for any additional data collected for quality purposes in the delivery of its contract with DWP.

What is the lawful basis for controlling or processing personal data under ESF?

- Lawful basis for processing personal data in ESF

LPCo, will be processing personal data in the ESF programme according to the following lawful basis:

- Article 6 (1) (f) GDPR

‘legitimate interests: of organisation or third party.

Retention Periods for 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

All personal data held by LPCo will be retained in line with the contractual requirements of the contract which in this case is December 2032.

Your Data Rights under GDPR

Your personal information belongs to you and you have the right to:

- be informed (via this privacy statement)
- request a copy of what we hold about you and in commonly used electronic format if you wish (if you provided this to us electronically for automated processing, we will return it in the same way)
- have it amended if it’s incorrect or incomplete
- have it deleted (where we do not have a legal requirement to retain it)

- withdraw your consent if you no longer wish us to process
- restrict how we process it
- object to us using it for marketing or research purposes
- object to us using it in relation to a legal task or in the exercise of an official authority
- request that a person reviews an automated decision where it has had an adverse effect on you

(Please note, the right to erasure and right to data portability do not apply to ESF participants because of the particular lawful basis under which ESF personal data is being processed.)

If you do not wish your personal data to be used for ESF evaluation purposes please contact ESF.EVALUATIONS@DWP.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.

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

Should you wish to make a Right of Access Request regarding data controlled by LPCo please contact:

Sarah Neal
Office Manager
The Learning Partnership for Cornwall & the Isles of Scilly
Redruth Centre
Station Road
Redruth
TR15 2AB
Sarah.neal@lpcornwall.org