Privacy Notice for Learning and Development

October 2022

**Learning and Development**

Our core data protection obligations and commitments are set out in the council’sprimaryprivacy noticeat **http://www.bolton.gov.uk/home/Pages/Copyrightdisclaimerandprivacy.aspx**

This notice provides additional privacy information for:

* external partner organisations and their employees
* course attendees
* training providers and suppliers

It describes how we collect, use, and share personal information about you

* before, during and after your working relationship with us, and
* the types of personal information we need to process, including information the law describes as ‘special’ because of its sensitivity

It is important that you read this notice, together with any other privacy information we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

**Purpose(s)**

The main reasons for processing your personal information are:

* Planning training delivery
* Delivery of learning and development
* Contract with training providers and suppliers

**Categories of personal data**

In order to carry out our activities and obligations as an employer we process personal information in relation to:

* your name and contact information, including email address and telephone number and company details
* information to check and verify your identity, e.g., your date of birth
* your gender if you choose to give this to us
* location data if you choose to give this to us
* your billing information, transaction, and payment card information
* information to enable us to undertake credit or other financial checks on you
* information about how you use our website, IT, communication, and other systems
* your responses to surveys, evaluations, and promotions.

In limited circumstances, we may approach you for your written consent to allow us to process your personal information. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us and that where consent is given, you have the right to withdraw it at anytime (without affecting the lawfulness of our processing prior to the withdrawal of your consent).

**Legal basis for processing**

The legal bases we rely on for processing your personal information (Specified within Articles 6 and 9 of GDPR (General Data Protection Regulation)) are:

* entering into or performing obligations under your contract of employment
* performing or exercising obligations or rights under employment law, social security law or social protection
* general legal obligations we must meet
* where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards
* where it is needed in relation to exercising or defending legal rights (e.g., in relation to legal proceedings and claims)
* your consent (in situations where you have a genuine choice and control over whether your information is processed, including the right to withdraw your consent at any time without detriment)
* fraud prevention and protection of public funds
* compliance with any Court Orders
* where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent

Ancillary to the performance of employment contracts the Council will:

* Monitor your use of our information and communication systems to ensure compliance with our IT policies.
* Ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as accessing learning and development), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

**Information sharing/recipients**

In addition to the general reasons for information sharing described in the council’s primary privacy notice:

* we may share information about you with third parties where required by law, where necessary to fulfil your contract of employment or where a third party has a legitimate interest
* for the purposes of the National Fraud Initiative conducted by central government under Section 33 and Schedule 9 of the Local Audit and Accountability Act 2014
* in connection with school workforce census as provided for in Section 114 of the Education Act 2005 and the associated Education (Supply of Information about the School Workforce) (No.2) (England) Regulations 2007/2260, which affects some directly employed council staff working in education
* we may share your information with recognised Trade Unions where you have consented for us to do so

**Automated Decisions**

For this processing all the decisions we make about you involve human intervention.

**Data retention/criteria**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any future legal, accounting, or reporting requirements.

Once your employment ends, we must continue to retain necessary information for a minimum of 6 years.

**Rights of individuals**

You have a number of legal rights in relation to your personal information. These apply regardless of your employment status with the Council.

You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation.

You also have a number of other rights. Information on these rights and how to exercise them can be accessed in the following guide:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you wish to exercise your rights (as outlined above) or to raise a concern about the handling of your personal information by the council, please contact our Information Governance Team at information.security@bolton.gov.uk

If you are still unsatisfied you should contact **The Information Commissioner’s Office** by post at: The IOC, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or by telephone: 0303 123 1113

**Updates to Privacy Notice**

We may update or revise this Privacy Notice from time to time and provide supplementary privacy information as is necessary to the Council’s current workforce.