

ADULT SKILLS FUND (ASF) PRIVACY NOTICE 2024 -2025

The West of England Combined Authority is responsible for commissioning and funding adult skills funding including Free Courses For Jobs (FCFJ) for learners within the West of England area. We may use your personal information in our delivery of this work. The privacy notice below describes how we will treat the personal information received from both Providers and Learners.

Who are “we”?

The West of England Combined Authority is made up of three of the local authorities in the region – Bath & North East Somerset, Bristol City Council, and South Gloucestershire. Working with our partners including the West of England Local Enterprise Partnership, North Somerset Council and other partners, our aim is to deliver economic growth for the region and address some of our challenges, such as productivity and skills, housing, and transport.

The Combined Authority is the “data controller” for Adult Skills Funding in the West of England area for the 2024/25 academic year. The funding is used to prepare adults over the age of 19 with the skills and qualifications needed for life, work, apprenticeships, and further learning. The West of England Combined Authority has the responsibility for keeping your personal data safe, for using it lawfully, and for ensuring your rights to privacy are respected.

What is your “Personal Data”?

Personal data is information which is about you, and which identifies you as an individual. This means it could be used to make decisions which have a direct impact on you. The purpose of this notice is to explain how we will use the information you give to us, and what we will use it for.

Data protection law sets down the rules for data controllers (such as the Combined Authority), and rights for the people (known as “data subjects”) whose information is held by them (such as you).

As a data subject, you have rights under the law of data protection (the General Data Protection Regulation (GDPR)).

In line with these rules, we are registered with the Information Commissioner as a ‘data controller’. Our registration number is ZA277034.

Transparency: what we need to tell you

You have the right to be informed by us about:

- What personal data we would collect from you
- How we would use it, and for what purpose
- Who we would share your information with, and why
- Your other data subject rights and how to exercise them

How we collect your personal Information

We collect your personal information where the law allows it, where we have your consent to do so or where we have a legal obligation. Your personal information is collected to enable us to commission and fund adult skills funding provision for learners within the West of England.

Provider Information

During the life of the grant, we will ask the Provider for the following information (either directly or via the provider's ILR return to the Education Skills Funding Agency):
Data and evidence held by the provider necessary to ensure compliance with the ASF funding rules and secure the delivery of education and training of a reasonable quality by the Provider. This is to ensure that the resources provided by the Combined Authority are being used effectively and efficiently and includes but is not limited to, Application Data, Performance data, Delivery profiles, Employment records and financial statements.

Learner Information

Personal information is collected by the West of England Combined Authority (either directly from the relevant provider or via the ILR return to the ESFA) in accordance with the terms and conditions of funding imposed on providers of learning, for example, further education colleges and private training organisations. Your personal information is processed by the Combined Authority directly and/or the ESFA, who pass it to us when they process your information on behalf of the Department for Education (DfE), to enable the DfE to carry out its functions.

Learner information collected by the ESFA is known as the Individualised Learner Record (ILR). The specification and standards for the ILR are published for each academic year (1 August to 31 July) by the ESFA. This specification provides more information about the use of your information.

Learner contact information collected by the ESFA and the Combined Authority may be used for the purposes of research and surveys to enable the DfE and the Combined Authority to carry out its functions or, where learning is funded by the European Social Fund (ESF), for the Department for Work and Pensions to carry out its functions. This contact information will only be used for the purposes of other research and surveys with the consent of the learner.

Learner information is also collected and supplied to the Learning Records Service, a part of the ESFA. Your information is used by the ESFA to issue learners with a Unique Learner Number, and to create and maintain your Personal Learning Record. Your information might be used by the West of England Combined Authority to search for prior attainment or learning in relation to your Combined Authority funded learning. More information about this use of learner information is published by the Learning Record Service.

In order for the DfE and the Combined Authority to carry out its functions:

the ESFA and training providers share data to ensure accuracy of information held in relation to the funding of learning - a training provider may need to share your information with another training provider in order to verify accuracy of information in relation to a claim for funding from the ESFA

- your personal information may be shared with another training provider for the purposes of your continued learning.

In the event that a further education college or other training provider is unable to continue the delivery of training funded by the West of England Combined Authority and/or the ESFA (for example, where a training provider is a limited company that is dissolved) the Combined Authority and/or the ESFA will endeavour to make arrangements for the secure transfer of information, including your personal data, from the former training provider to another training provider to support your continued learning. It may also request information from Awarding Organisations to establish at what stage your learning has reached according to their records.

Confidentiality and storage

Personal information which you choose to share with us will be treated as confidential. Your data will be processed by our staff, who are all based in the UK. The data we process may be held internally on our own managed systems, externally on cloud-based services or on the systems of the DfE and the Education and Skills Funding Agency who process information on our behalf.

We are committed to storing data securely wherever it is held, ensuring it is only accessible to authorised personnel and the arrangements meet all legal requirements. Where data is stored on partner systems, we expect them to meet all legal requirements.

We'll do what we can to make sure we hold records about you in a secure way, and we'll only make them available to those who have a right to see them. Examples of our security may include:

- encryption, meaning that information is hidden so that it cannot be read without special knowledge (such as a password);
- pseudonymisation, meaning that we'll use a different name so we can hide parts of your personal information from view. This means that someone outside of the organisation could work on your information for us without ever knowing it was yours;
- controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it;
- regularly training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong;
- regular testing of our technology and ways of working including keeping up to date on the latest security updates (commonly called patches).

Sharing of your personal data with others

We may share your personal information with other organisations, where the law allows it or where we have a legal obligation to do so. Personal information may be released to external parties in response to legal processes or to enforce or apply our terms of use, or to protect the rights, of the Combined Authority, our employees, agents and others.

Other organisations include:

- Department for Work and Pensions
- Education and Skills Funding Agency
- Local and Combined Authorities in England

- Greater London Authority
- 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 West of England Combined Authority 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

The information shared will not include your name, address, contact details or any data which may be used to identify you as an individual, or used to take decisions which may impact on you as an individual. We may also share such information with local authorities in which your business operates for the purpose of demonstrating our progress in supporting businesses and stimulating economic growth within the area. The local authorities we may share such data with are: Bath and North East Somerset Council (B&NES), Bristol City Council, and South Gloucestershire Council.

How long will we keep your personal data?

Information which cannot identify you as an individual will be retained beyond the length of your grant and will be used only for statistical and research purposes by the Combined Authority, the Department of Education and the ESFA and upon their request the local authorities in which your business operates. This information will be retained for a maximum period of 7 years.

Information which can identify you (personal data) will be retained for a maximum period of 6 years. It will be used only for the purposes of the Combined Authority and the ESFA. In the case of grant-funded expenditure all documentation accumulated from the outset of determining the project requirement must be retained for the period specified in the grant award as a minimum. Retention periods will be specified within the Grant Funding Agreement and that will take precedence over any detailed within this document.

What happens if you no longer wish to be contacted by the West of England Combined Authority?

Providers may choose to withdraw data at any time, however if you have a Provider Grant Agreement in place, the Combined Authority will require an approved named contact within your organisation for contractual purposes and grant communications. Learners also have the right to withdraw, this must be made via the Provider. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

If you choose to withdraw your data, we will ask you for your feedback on your experience and the reasons you would like no further contact from us. You may choose not to answer these questions. We will respect your wishes and ensure that no further contact is made unless you contact us to tell us you have changed your mind.

You have the right to access the personal data we hold about you

To request a copy of all your personal data you may submit a “Subject Access Request”. This refers to us providing copies of such information to you within one month of a request. Your request for your

records must be in writing and may be sent to us by post or email (see contact details below). To confirm your identity your request must include copies of an identity document (e.g. your driving licence or passport) and proof of your address (e.g. a copy of a utilities bill or bank statement). Identity documents will be destroyed once viewed. We will not retain these documents in any format.

You have the right to rectification of any incorrect or incomplete data we hold about you.

Contact for privacy concerns and Subject Access Requests

If you have any concerns or questions about our handling of your personal data, or if you wish to submit a Subject Access Request, please contact:

Data Protection Officer
West of England Combined Authority
70 Redcliff Street
Bristol
BS1 6AL

Or email the Data Protection Officer at democratic.services@westofengland-ca.gov.uk

Your right to appeal

If you are not satisfied by our response to your concerns, you have the right to lodge a complaint regarding the processing of your personal data to the UK's supervisory authority, the Information Commissioner, who can be reached using the details below:

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow SK9 5AF
Telephone: 0303 123 1113
Email: casework@ico.org.uk