



## PRIVACY NOTICE LEARNING PEMBROKESHIRE

This privacy notice covers how Pembrokeshire County Council (as a Data Controller) will collect, use and share your personal data for the purposes of Learning Pembrokeshire's Adult and Community Learning courses.

### Why we need your information (purpose of processing)

We collect and use your personal information so that we can administer and provide you with Adult and Community Learning courses.

When visiting the Learning Centre, where CCTV is in place, this is for the prevention and detection of crime and for staff safety.

With your consent we will also use your personal information to contact you with newsletters and marketing relating to Learning Pembrokeshire. You can opt out of this arrangement at any time by contacting staff at the Community Learning Centre administering your course or by emailing [learn@pembrokeshire.gov.uk](mailto:learn@pembrokeshire.gov.uk)

The information that you provide will be processed according to the UK General Data Protection Regulation and the Data Protection Act 2018 and Welsh Government's Lifelong Learning Record Wales (LLWR).

We will also make any disclosures required by law and we may also share this information with other bodies responsible for detecting/preventing fraud/crime or auditing/administering public funds to ensure money is targeted and spent in the most appropriate and cost effective way. In order to achieve this, information will be shared with our Audit Service within Pembrokeshire County Council and with The Auditor General for Wales ([Audit Wales Privacy Notice](#)).

We will not make any disclosures to third parties for marketing purposes.

Your data will be secure and confidential at all times and we will only collect the personal information that is required to provide you with our service.

### What personal data is being collected?

The categories of personal data being collected are:

- Full name(s) and surname
- Date of birth
- Contact details – Residential address including post code
- Gender
- Domicile
- Images CCTV

Other optional categories for personal data collection are:

- Contact details – telephone number(s) and email address
- Surname at 16
- National identity
- Highest qualification level and highest Welsh language qualification level
- Welsh fluency

- Health and medical information
- Employment status
- Emergency contact information
- Ethnicity

### **What is our lawful basis for processing your personal data?**

The UK General Data Protection Regulations (GDPR) requires specific conditions to be met to ensure that the processing of your personal data is lawful. These relevant conditions are below:

Article 6 (1)(b) Contract: the processing is necessary for a contract we have with you, or because you have asked us to take specific steps before entering into a contract. This is in relation to enrolment on to our courses.

Article 6 (1)(f) Legitimate interests: the processing is necessary for our legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. This is in relation to the use of CCTV at our Learning Centre.

Article 6 (1)(a) Consent: you have given clear consent for us to process your personal data for a specific purpose. This is in relation to marketing and newsletters.

Some types of personal data are more sensitive than others, and need more protection. This is classed as 'special category data' and could include information about your racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership and the processing of genetic or biometric data, health and sex life and sexual orientation.

We process this type of special category data as it is necessary for reasons of:

Article 9 (2)(g) Substantial public interest in accordance with Welsh Government's Lifelong Learning Record Wales (LLWR).

(The relevant Data Protection Act 2018 conditions are – Schedule 1 Part 2: Statutory and government purposes & Equality of opportunity or treatment)

### **Who will we share your information with?**

We may need to share your personal data with internal departments, other organisations and third parties, this will include:

- Pembrokeshire County Council's IT department
- Welsh Government via Lifelong Learning Wales Record (LLWR)
- Pembrokeshire College - Where online learning or blended learning is part of your chosen course, limited personal information from course enrolment is passed via integration to Learning Pembrokeshire's Learning Zone which is hosted by Pembrokeshire College. This information (name and email address) is used for the purpose of enabling access to Learning Pembrokeshire's Learning Zone for online learning and access to learning resources and to BigBlueButton.
- Appropriate Awarding bodies if your learning activity is accredited e.g. Agored Cymru, British Computer Society (BCS), WJEC, etc..
- Externally contracted tutors where your training is not delivered by a tutor employed by Pembrokeshire County Council.

Pembrokeshire County Council has a duty to protect the public funds it manages. Therefore, the information that you have provided to us may be used for the prevention and detection of fraud and for auditing purposes both internally and externally.

The personal information we have collected from you will be shared with fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify your identity. If fraud is detected, you could be refused certain services, finance, or employment. Further details of how your information will be used by us and these fraud prevention agencies, and your data protection rights, can be found by visiting <https://www.cifas.org.uk/fpn>

### How long do we keep hold of your information?

Pembrokeshire County Council will only keep your information for as long as is necessary, please see below for how long we will retain the information provided to us. CCTV images are kept for 30 days. Your information will be securely disposed of once it is no longer required.

### Your Rights

Under the UK General Data Protection Regulation and Data Protection Act 2018, you have rights as an individual including:

- The right to **Rectification** – you have the right to ask to have your information corrected.
- The right to **Restrict** processing may apply – you may request that we stop processing your personal data however, this may delay or prevent us delivering a service to you. We will seek to comply with your request but may be required to hold or process information to comply with our legal duties.
- The right to **Object** – this is not an absolute right and will depend on the reason for processing your personal information.
- The right to **Erasure** - you may request that we erase your personal data however, this may delay or prevent us delivering a service, or continuing to deliver a service. We will seek to comply with your request but may be required to hold or process information to comply with our legal duties.
- The right to **Data portability** – you have the right to request transfer of your information without detriment.
- The right to not be subject to **Automated decision making and profiling**.
- The right of **Access** – you have the right to ask us for copies of your personal data. To make a request, please contact:

Access to Records  
Pembrokeshire County Council  
County Hall  
Haverfordwest  
SA61 1TP

Email: [accesstorecords@pembrokeshire.gov.uk](mailto:accesstorecords@pembrokeshire.gov.uk) Telephone: 01437 764551

### Complaints or Queries

Pembrokeshire County Council endeavours to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this seriously. We encourage people to bring to our attention if they believe that our collection or use of information is unfair, misleading or inappropriate.

This privacy notice does not provide exhaustive detail of all aspects of our collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to the address below:

Data Protection Officer  
Pembrokeshire County Council  
County Hall  
Haverfordwest  
SA61 1TP

Email: [dataprotection@pembrokeshire.gov.uk](mailto:dataprotection@pembrokeshire.gov.uk) Telephone: 01437 764551

If you want to make a complaint about the way we have processed your personal information, you can contact the Information Commissioner's Office as the statutory body which oversees data protection law:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

SK9 5AF

Email: [wales@ico.org.uk](mailto:wales@ico.org.uk)

Telephone No: 0303 123 1113

**Our Contact Details as Data Controller are:**

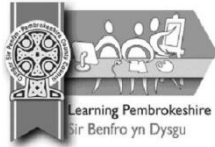
Pembrokeshire County Council, County Hall, Haverfordwest, Pembrokeshire, SA61 1TP.

Telephone number: 01437 764551 or [enquiries@pembrokeshire.gov.uk](mailto:enquiries@pembrokeshire.gov.uk)

Our Data Protection Officer's information is detailed above in the Complaints and Queries section.

**Changes to this privacy notice**

We keep our privacy notice under regular review.



## Retention guidelines

The following retention guidelines are based on the Audit Commission for Local Government and Health Bodies Act 1998 applied to general activities and General Data Protection Regulation (GDPR) implemented from May 2018.

**Retention of records for European funded projects will be defined by the original contract and will be for much longer than standard retention – please refer to project contract terms and conditions, for retention specifics and dates. Documentation in these cases refers to ALL project documentation i.e. timesheets, finance records, beneficiary records, examination records, general administration and correspondence.**

For general activities, when archiving, it is recommended that archive boxes are filed with “like” records as this is easier to review, as they have different retention periods.

Recommended options are:

- Pay sheets/tutor claims
- Finance records (originals only)
- Beneficiary records
- Examination records
- General administration and correspondence

The **destruction review date MUST** be clearly marked on the outside of each storage box and each box should contain a transmittal list, detailing the contents of the box. A copy of the transmittal list of the contents of each archive box, must be maintained within the Community Learning Centre or Service office for reference.

Community Learning Centres and Services are to securely store and retain records for current year PLUS two full previous years on the Community Learning Centre or Service premises. All older documents requiring retention, are to be stored in Pembrokeshire County Council’s Record Management Unit (RMU). Copies of the transmittal lists of the contents of each archive box in RMU, must also be retained at the Community Learning Centre or Service office for reference.

It is necessary to archive and maintain **primary source documents**. Invoices, which are scanned, will be maintained centrally by Pembrokeshire County Council – archiving of photocopy invoices is not necessary.

**Pay sheets/claims and any unpaid claims:** KEEP FULL 10 YEARS after the end of the financial year to which they relate (for pension purposes).

### **Employee leave records:**

Compassionate leave – keep current plus two calendar years  
Request and approval of annual leave carried forward – current and previous year  
Record of annual leave taken – Line Manager must retain current and previous year  
TOIL – Line Manager must retain current and previous year  
Absence returns are retained by HR

**General correspondence, estimates including calculations and stats:** KEEP FULL 3 YEARS after the end of the financial year to which they were produced (for financial compliance purposes).

**Principle finance records - Receipt books, banking records and original invoices:** KEEP FULL 6 YEARS after the end of the audit period of the financial year to which they relate (for grant and financial compliance purposes).

**Following termination of employment - Personnel files, copy letters of appointment, copy contracts references, related correspondence and records of leave/sickness:** Any original documents should be sent to HR for retention following termination and any copies destroyed.

**Enrolment forms, registers, class lists, examination records, evaluation forms, PSLs, etc:** KEEP FULL 6 YEARS after the end of the audit period for the financial year to which the grant relates (for grant compliance purposes).

**Audit reports:** KEEP 2 years after formal clearance by the appointed auditor (for financial compliance purposes).

**Key records** relating to buildings and engineering works such as surveys, site plans, drawings, bills of quantities, contract documents, including any that have been abandoned or deferred, deeds, lease documents, insurance policies, inventories, valuations – PERMANENT PRESERVATION ONLY IF ORIGINAL DOCUMENTATION.

**Communities First** have confirmed that their required retention period is a FULL 5 YEARS after the end of grant period to which they relate. However, in most cases, other funding is connected to the activity, so the retention period will be defined by the funder with the longest requirement.

**Archives should be reviewed periodically. NO ITEMS ARE TO BE DESTROYED until checked and destruction agreed with appropriate Lifelong Learning Co-ordinator.**

**Student Information Database (SID)** – Any learner records, non-current tutor records or activity records, which are older than 10 academic years after the end date of the course, will be deleted from the system in an annual process.