

## **Privacy Notice For ESF Participants and ERDF End Beneficiaries Supported By the Structural Funds**

The Scottish Government requires to share the personal information which you provide when you enrol to participate on an ESF-funded Operation or receive assistance from an ERDF- funded operation

### What Information is Required?

The Scottish Government give grants to a number of eligible organisations to undertake a range of economic development and training activities in Scotland that have been part-funded by the European Structural Funds (ESF and ERDF).

The personal information you give to the organisation when you apply for assistance and during the period of your support from them is required by the Scottish Government so that they can meet the legal obligations placed on them by the European Commission and ensure that the Structural Funds are spent correctly in Scotland and on the right things. **Please Note:** These member state legal obligations will still apply to the UK and its devolved administrations even when it has formally left the European Union and after any agreed exit transition period has elapsed for the period of time until the Structural Fund programmes have been effectively closed.

For ESF, the information may include your name, address, age, gender, level of education, labour status and National Insurance Number. For ERDF, the information may include your company name, company registration numbers and bank details.

### Purpose

The Scottish Government require to process this information about you to ensure:

- that you are eligible to receive support from the Structural Funds and to verify your identity;
- that they can fulfil their legal obligations to the European Commission regarding how the Structural Funds are used in Scotland;

### How it will be used

The Scottish Government will:

- only process your information in relation to administering the Structural Funds;
- store your information on secure IT and Data Storage systems and only for as long as it is legally required and still liable to external audit after which it will be destroyed;
- ensure that your individual data details will not be transferred outside Scotland;

- ensure that all performance reporting on the Structural Funds will not identify individual beneficiaries but will be provided on an aggregated basis; and,
- ensure that your data will only be shared with those organisations such as the European Commission that the Scottish Government are required to share with to meet Structural Funds Regulations.

### Legal Bases

The legal bases under GDPR which allows them to process your data is **Article 6(1)(e) – public task** as the processing is necessary for the performance of a task carried out in the public interest and to enable the Scottish Government to exercise the official authority vested in them as Member State.

As some of the data that is collected from you is classified under GDPR as special categories of personal data (i.e. those related to ethnicity, health disadvantages, details of criminal convictions and/or other Barriers to Employment), the Scottish Government require an additional legal bases to process it. This is provided under **Article 9(2)(g) – processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.**

### Your Rights

You have the right to request information about how your personal data is processed and to request a copy of that personal data.

You have the right to request that any inaccuracies in your personal data are rectified without delay and you can edit your contact details at any time. This should be done in the first instance by contacting the organisation providing you with support.

### Complaints

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner in Scotland can be contacted at:

45 Melville Street  
Edinburgh  
EH3 7HL  
0303 123 1113  
casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

### Contact details

The European Structural Funds and State Aid Division (ESFSD) of the Scottish Government are the Data Controllers for your personal data and require the Organisations who received Structural Funds to assist you to collect it in the first instance.

The contact details for the Information Asset Owner in ESFSD is:

Hilary Pearce  
European Structural Funds and State Aid Division  
Directorate for Economic Development  
3rd Floor  
5 Atlantic Quay  
150 Broomielaw  
Glasgow G2 8LU

europeanstructuralfunds@gov.scot

### Updates to this notice

If this privacy notice changes in any way, we will place an updated version on this page. Regularly reviewing this page ensures you are always aware of what information we collect, how we use it, and under what circumstances we will share it with other parties.

Last updated: 25 August 2020