

Skillnet Ireland Trainee Privacy Statement





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1. Introduction

- 1.1. Skillnet Ireland funds and facilitates training through Networks of private sector companies, in a range of sectors and regions. Each Network delivers training that is relevant to specific industry sectors or regions and member company needs.
- 1.2. Skillnet Ireland is funded by the Department of Education and Skills from the National Training Fund. The training programme you attended or are attending has been fully or partially funded by Skillnet Ireland.
- 1.3. Skillnet Ireland is mandated by the Department of Education and Skills to monitor and evaluate training programmes provided by our Networks and to ensure that funds are being used appropriately.
- 1.4. Skillnet Ireland is mandated by Enterprise Ireland to share trainee profile data to assess the eligibility of your employer to receive Clear Customs Financial Support. Trainee profile data for our Clear Customs Programme may also be used for the purposes of providing aggregated statistical information to the Department of Public Expenditure and Reform to help inform national policy in relation to skills.
- 1.5. You are asked to complete the Trainee Profile Form where you are asked to share certain personal details about your background. You are asked to complete the “Reaction to Learning From” when you have completed your training with us.
- 1.6. You may wish to review this Privacy Statement before completing these forms so that you are aware of how we comply with Data Protection Legislation in relation to your personal data.

About Us

- 1.7. Our Data Protection Officer’s (DPO) contact details are as follows:

Name	Jennifer Walsh
Telephone	+ 353 1 2079630
Email	dpo@skillnetireland.ie
Post	5th Floor, Q House, Furze Road, Sandyford, Dublin 18, D18 E268

About this Privacy Statement

- 1.8. This Privacy Statement relates to our privacy practices and policies in place for the data we collect in the Trainee Profile Form and Reaction to Learning Form. It sets out what personal data we collect and process about you in connection with the services and functions of Skillnet Ireland through our training programmes; where we obtain the data from; what we do with that data; how we comply with the data protection rules, who we transfer data to and how we deal with individuals' rights in relation to their personal data. Links to all this information may be accessed by clicking on the titles in the table of contents. Any personal data is collected and processed in accordance with Irish and EU data protection laws.
- 1.9. All Skillnet Ireland employees and contractors are required to comply with this Privacy Statement when they process personal data on our behalf. Any failure by Skillnet Ireland employees or parties contracted to Skillnet Ireland, to comply with the data protection rules (including as they are outlined in this Privacy Statement) may result in disciplinary action or sanction.
- 1.10. Please note that we may disclose individuals' information to trusted third parties for the purposes set out and explained in this document. We require all third parties to have appropriate technical and operational security measures in place to protect your personal data, in line with Irish and EU laws on data protection.

Definitions

- 1.11. The "Data Subject" means a living person who is identifiable or identified directly or indirectly using an "Identifier" or "Personal Data."
- 1.12. "Personal Data" or an "Identifier" means any information about a living person where that person is or can be reasonably identified. Personal data can include a name, address, description of physical characteristics, date of birth or age range. It can also be an opinion about that person, including their actions and behaviour where a living person can be wholly or partly identified. Additionally, it can be information that captures a data subjects' image or voice, such as a photo, video or audio recording that is processed electronically. Location data stored electronically may also be considered personal data.
- 1.13. "Sensitive Personal Data" or "Special Category Data", means data that records a living person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health data or data relating to sexual orientation. The processing of sensitive personal data is prohibited without explicit consent.
- 1.14. "Processing" means using personal or sensitive data in any, including collecting, storing, retrieving, consulting, sharing and erasing except in situations where this processing is done for personal or household activities.
- 1.15. "Data Controllers" are the people or organisations who determine the purposes of how and why any personal data is processed; make independent decisions in relation to the personal data and may otherwise control that personal data.
- 1.16. "Data Processors" are the people or organisations who process personal data on behalf of the controller.

2. Data Controller

- 2.1. Data protection provides rights to individuals regarding the use of their personal information (personal data) by organisations, including Skillnet Ireland. Compliance with the data protection rules helps individuals to have confidence in dealing with us and helps us to maintain a positive reputation in relation to how we handle personal information.
- 2.2. The data protection rules that apply to Skillnet Ireland are currently contained under the **EU Data Protection Legislation** frameworks which includes General Data Protection (GDPR) Legislation, the Law Enforcement Directive, the Data Protection Acts 1988 and 2003 and ePrivacy Regulations. These Acts govern all activities we engage in regarding the processing of personal data.
- 2.3. For the purposes of the GDPR, Skillnet Ireland is the data controller regarding the personal data described in this Privacy Statement.
- 2.4. Data controllers have an obligation to comply with the principles of data protection, refer to section 5 for more information.

3. What personal data does Skillnet Ireland collect and why?

- 3.1. Schedule 1 of this policy sets out a description of the personal data that we collect in connection with our services and functions, why we are collecting this data, our legal basis for processing this data and the length of time for which we retain your data. (The table is referred to below as our “Processing Description”.)
- 3.2. Skillnet Ireland processes personal data for the purposes set out in our Processing Description and for any other purposes specifically permitted by the DPAs (or when applicable, the GDPR) or as required by law.
- 3.3. This information is collected from you through our Trainee Profile Form and Reaction to Learning Form, which can be completed in hard copy or electronically.
- 3.4. Skillnet Ireland is mandated by the Department of Further and Higher Education, Research, Innovation & Science, (DFHERIS) to effectively monitor the performance of the training programmes funded or partially funded by Skillnet Ireland.
- 3.5. Skillnet Ireland performs compliance reviews, evaluations of the training programmes, and quality assurance and attendance at training verifications.

4. Lawful basis for processing personal data

- 4.1. GDPR allows for the use of personal data where its purpose is necessary, legitimate and is not outweighed by the interests, fundamental rights, or freedoms of data subjects. This is known as the 'necessary legitimate interests' legal basis for processing personal data.
- 4.2. The legal basis for processing trainee personal data for the purpose of delivering training is 'necessary legitimate interest'.
- 4.3. Skillnet Ireland has conducted a 'necessary legitimate interests' balancing test which involved identifying the 'necessary legitimate interests' of us (the data controller), those attending the courses (data subjects), the Networks (data processors), the Department of Education and Skills and the interests of the general public. This legitimate interest ensures that the personal data processed is necessary to provide funding to the Skillnet Ireland Networks and to ensure that all funding provided is being used appropriately. As part of this process, potential inconveniences or risks to data subjects were identified. It was concluded that the identified legitimate interests outweighed any potential risks to data subjects, which are very low. Skillnet Ireland has ensured that the minimum amount of personal data necessary is collected to achieve our legitimate purposes.
- 4.4. The necessary legitimate interests balancing test will be reviewed as necessary.
- 4.5. The legal basis for processing personal data for marketing in Skillnet Ireland is 'consent'.
- 4.6. Skillnet Ireland is fully committed to keeping your personal information safe and ensuring your rights are protected.
- 4.7. You can 'opt-in' to receive updates and information from Skillnet Ireland on both the services and achievements of our Skillnet Networks. The 'opt-in' process is explicit and is obtained only through a clear and affirmative action.
- 4.8. When you 'opt-in', we record and save the first name and email you input. Your 'consent' can be withdrawn at any time using the 'unsubscribe' option in the footer of any correspondence received from us.
- 4.9. If you require further information from us regarding our legal basis for processing personal data, please contact the Data Protection Officer ("DPO") whose details are set out below.

5. What are the data protection principles?

5.1. As outlined in Article 5 of the GDPR, seven data protection principles apply to Skillnet Ireland:

- I. Lawfulness, fairness, and transparency**
Data processing must be legal, transparent, and fair to the individual whose data is being processed.
- II. Purpose Limitation**
Data must only be collected for a specific, explicit, and legitimate purpose, and not further processed in a way that is incompatible with that purpose.
- III. Data Minimisation**
Only the necessary amount of data should be collected and processed for the purpose stated.
- IV. Accuracy:**
Data must be accurate and kept up to date, with any inaccuracies corrected or promptly erased.
- V. Storage Limitation**
Data should not be kept for longer than is necessary for the purpose it was collected and should be securely deleted when no longer needed.
- VI. Integrity and Confidentiality**
Data must be kept secure and protected against unauthorised access, alternation, or destruction.
- VII. Accountability**
Data controllers are responsible for complying with these principles and must be able to demonstrate their compliance with appropriate documentation and procedures.

6. Security of your personal data

- 6.1. We take appropriate security measures against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.
- 6.2. We have procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction.
- 6.3. Personal data will only be transferred to a data processor if they agree to comply with those procedures and policies, or if they have adequate measures in place. In addition, appropriate written agreements are in place with all our data processors.
- 6.4. Skillnet Ireland operates and manages a bespoke database 'Sonrai' to store your personal data.

'Sonrai' is a cloud-based solution and information is hosted in a North European Data Centre that uses the Microsoft Azure platform to securely store our data. The file server is backed up to the cloud and backups are located in a datacentre in Slough, UK. All data uses AES-256-bit encryption.
- 6.5. We maintain data security by protecting the confidentiality, integrity, and availability of the personal data, defined as follows:
 - I. **Confidentiality** means that only people who are authorised to use the data can access it.
 - II. **Integrity** means that personal data should be accurate and suitable for the purpose for which it is processed.
 - III. **Availability** means that authorised users should be able to access the data if they need it for authorised purposes. Personal data will therefore be stored on Skillnet Ireland's central computer system instead of individual PCs or devices.
- 6.6. We follow strict security procedures in the storage and disclosure of your personal data, and to protect it against accidental loss, destruction, or damage. The data you provide to us is transferred to an application which is protected using SSL (Secure Sockets Layer) technology. SSL is the industry standard method of encrypting personal information and credit card details so that they can be securely transferred over the Internet.

7. Transfers outside the EEA

- 7.1. Where there is a need to share your personal data with any suppliers who are deemed to be outside the EEA, we will do so on the basis of European Commission approved standard contractual clauses. Skillnet Ireland will always ensure that there are appropriate safeguards in place to protect your personal data.
- 7.2. We currently use a third-party supplier based in Northern Ireland as our partner in carrying out compliance activities.

8. How long will we keep your personal data?

- 8.1. Skillnet Ireland will only keep your data for as long as is necessary. Schedule 1, below, sets out in the Processing Description the length of time for which we will keep your personal data. After this time, your personal data is permanently deleted from our records.

9. Will we share your personal data with anyone else?

- 9.1. Your personal data may be shared with Skillnet Ireland third parties for the purposes outlined in Schedule 1. We are required by the Department of Further and Higher Education, Research, Innovation & Science to carry out monitoring and compliance activities. If necessary, we may engage with third parties to carry out these activities on our behalf.
- 9.2. **Trainees on our Clear Customs Programme only:** To assess the eligibility of your employer to receive Clear Customs Financial Support, your personal data may be shared with Enterprise Ireland. Your data may also be used for the purposes of providing aggregated statistical information to the Department of Public Expenditure and Reform to help inform national policy in relation to skills.
- 9.3. In certain circumstances your details may be passed to another agency, but only if it is required by law, pursuant to our statutory functions, or if that agency is relevant to an enquiry made by you. Consent to share your data in this manner will be collected during the application process.

10. Your data protection rights

10.1. Under the GDPR, you have the following rights:

- I. The right to be informed:
You have the right to be informed about how your personal data is being collected, processed, and used.
- II. The right of access:
You have the right to request and obtain a copy of personal data we hold.
- III. The right to rectification:
You have the right to request correction of inaccurate or incomplete personal data held by us.
- IV. The right to erasure:
You have the right to request that your personal data be erased under certain circumstances, such as when the data is no longer necessary for the purpose it was collected or if you are withdrawing your consent.
- V. The right to restrict processing:
You have the right to request that the processing of your personal data be restricted under certain circumstances, such as when the accuracy of the data is contested, or the processing is unlawful.
- VI. The right to data portability:
You have the right to receive your personal data in a structured, commonly used and machine-readable format, and to transmit the data to another organisation.
- VII. The right to object:
You have the right to object to the processing of your personal data for certain purpose, such as direct marketing. We will stop processing these data until we can demonstrate legitimate grounds for processing that overrides the individuals' legitimate interest, rights and freedoms.
- VIII. The right not to be subject to automated decision making and profiling:
You have the right not to be subject to automated decision-making, including profiling, which produces legal effects or similarly significant effects on them, unless certain conditions are met.

10.2. Click [here](#) for a link to the Data Protection Commission's guide "Rights of Individuals under the GDPR".

11. Requests by data subjects to exercise their rights

- 11.1. Skillnet Ireland has appointed a Data Protection Officer (DPO) to monitor compliance with our data protection obligations and with this policy and our related policies. If you have any questions about this policy or about our data protection compliance, please contact the DPO using the details below.
- 11.2. Data subjects must make a formal request for personal data we hold about them or otherwise to exercise their data protection rights whether to make an access request or otherwise by contacting our Data Protection Officer. Further information on how to make a data access request can be found in the [Skillnet Ireland Data Protection Statement and FAQ](https://www.skillnetireland.ie/data-protection/), which is available on our website at <https://www.skillnetireland.ie/data-protection/>.
- 11.3. Our DPO, Jennifer Walsh, can be contacted by email at dpo@skillnetireland.ie or by post at Data Protection Officer, Skillnet Ireland, 5th Floor, Furze House, Sandyford, D18 E268
- 11.4. Data subjects have the right to make a complaint at any time to a data protection supervisory authority in relation to any issues related to our processing of their personal data. As our organisation is in Ireland and we conduct our data processing here, we are regulated for data protection purposes by the Irish Data Protection Commissioner. You can also contact the Data Protection Commissioner as follows:
 - Go to their website www.dataprotection.ie
 - Phone on +353 87 103 0813
 - Email info@dataprotection.ie
 - Postal address: Data Protection Commission, 21 Fitzwilliam Square Dublin 2, D02 RD28.

12. Changes to the Privacy Statement

- 12.1. Our Privacy Statement may change from time to time and any changes to the Statement will be posted on this page. This Privacy Statement was revised in April 2023.



13. Schedule 1 – Processing Description

What personal data we take	Purposes of processing	Legal basis for processing	Retention period
First name and surname Contact details (phone number and email address)	<ul style="list-style-type: none"> To contact you following completion of your training programme to conduct compliance, monitoring or evaluation activities. Clear customs trainees only: personal data is provided to Enterprise Ireland in relation to the Clear Customs training programme, to assess the eligibility of the related employer to receive Clear Customs Financial Support. 	Legitimate interests	Electronically only, no longer than 3 years from the end of the calendar year preceding the completion of your training programme.
Gender Age range NQF Level Achieved Employment status and details relating to this	<ul style="list-style-type: none"> For aggregated evaluation of the quality and impact of training. For aggregated and statistical reporting to the Department of Education and Skills. For aggregated and statistical reporting in the Skillnet Ireland Annual Report and other publications. Clear customs trainees only: personal data is provided to Enterprise Ireland in relation to the Clear Customs training programme, to assess the eligibility of the related employer to receive Clear Customs Financial Support. Clear customs trainees only: for providing aggregated statistical information to the Department of Public Expenditure and Reform. 	Legitimate interests	Electronically only, no longer than 3 years from the end of the calendar year preceding the completion of your training programme.
First name Contact details (Email address)	<ul style="list-style-type: none"> Marketing: To send you updates and information from Skillnet Ireland on the services and achievements of Skillnet Ireland and our Skillnet Networks 	Consent	You can unsubscribe from our email list at any time using the 'unsubscribe' option in the footer of correspondence received from us.