

# Programme Learner Support System (PLSS) Data Protection Statement

## 1. Purpose and Scope of this Statement

This Data Protection Statement ("**Statement**") sets out the basis on which An tSeirbhís Oideachais Leanúnaigh agus Scileanna (the National Further Education and Training Authority) ("**SOLAS**") of Block 1, Castleforbes House, Castleforbes Road, Dublin 1 and Cork ETB will use the personal information ("**Personal Data**") you provide in connection with your application for, and subsequent programme of study on, a further education and training ("**FET**") programme funded through SOLAS. This Statement details your Personal Data that will be collected and processed for the purposes of the Programme Learner Support System ("**PLSS**") in order to facilitate the operation, management and coordination of your FET programme or course and your needs as a FET learner or applicant. It also outlines how Personal Data relating to your emergency contacts and parents or guardian details for under 18s will be processed by SOLAS and Cork ETB. You agree to make third parties whose Personal Data or information you disclose aware of the terms of this Data Protection Statement.

The PLSS is a joint project between SOLAS and Education and Training Boards Ireland ("**ETBI**"). PLSS is a suite of software applications that are designed to provide an integrated approach to the collection and processing of Personal Data of users of PLSS and FET programmes funded through SOLAS (or other parties), and the outputs, outcomes and performance of such programmes.

Prior to implementing the PLSS, SOLAS carried out a data protection impact assessment to assess the impacts of PLSS on your data protection rights.

### Who collects your Personal Data?

When you apply to attend a FET programme funded through SOLAS, Personal Data that you provide will be held by one or more of the following entities (each a "**Controller**"), further details of which are available in **Appendix 1**:

- SOLAS
- Your FET programme provider, such as your Education Training Board ("**ETB**")
- ETBI
- Higher Education Authority
- Department of Education and Skills
- Quality and Qualifications Ireland
- Department of Social Protection
- Central Statistics Office
- Student Universal Support Ireland

Each Controller is committed to ensuring that the Personal Data of its learners are handled in accordance with the principles set out in the General Data Protection Regulation (Regulation (EU) 2016/679) and the Data Protection Acts 1988 to 2018. If you have any queries about how your Personal Data are processed please contact Cork ETB's Data Protection Officer at [dataprotection@corketb.ie](mailto:dataprotection@corketb.ie).

## 2. What Personal Data will be collected and how will it be collected?

When you apply for a FET programme funded through SOLAS (or other parties), you will be asked to provide Personal Data and information about yourself (e.g. when you fill in this application form). The Personal Data will include the information you provide when you fill in this application form such as your PPSN, first name, surname, address, date of birth, gender, nationality, whether you are in receipt of a Department of Social Protection ("**DSP**") payments and/or employment details for those of you that are or were in employment and/or highest educational level attained. PLSS will record the course you enrolled in and your award (if any).

Each of the Controllers will process Personal Data and information that you provide and, in some instances where relevant, information provided to them by third parties such as other Governmental/public sector bodies (see more about this below).

### 3. How and why we process your Personal Data

This section details how (“**legal basis**”) and why (“**purposes**”) each Controller processes your Personal Data:

**Legal basis:** it is necessary to process your Personal Data in PLSS in order to perform our contract with you in connection with your application to and attendance on a FET programme funded through SOLAS (or other parties). By submitting your application you acknowledge that such Personal Data may be processed for the following purposes, including:

- to contact you about your application;
- to administer your application and to assess your eligibility for a FET programme funded through SOLAS in a particular academic year;
- to follow up with you after the application is received, as required;
- to maintain your learner record (including personal and course details);
- to manage course processes (including commencement, completion, progressions);
- to provide advice and support through the FET provider Guidance Services, where available;
- to contact you after the course completion in order to measure course impact in relation to your further education and training participation and/or employment;
- to track, evaluate and assess the outcomes of the FET programme;
- to comply with European Union monitoring and reporting requirements; and

**IMPORTANT:** if you do not provide us with your Personal Data so that we can process it for the above purposes, the Controllers will not be able to enrol you or administer your participation on a FET programme.

**Legal basis:** it is also necessary to process your Personal Data for each Controller to comply with legal obligations to which they are subject including for the following purposes:

- to comply with each Controller’s statutory mandate;
- to assist in the co-ordination and provision of training by others and conduct research into the functions of SOLAS as mandated under the Further Education and Training Act 2013. This might include tracking involvement in, conducting impact evaluations on and assessing outcomes of FET programmes funded through SOLAS. Accordingly, pursuant to agreed protocols and arrangements, SOLAS may provide to and receive from other Governmental, regulatory and/or public bodies (including those listed in **Appendix 1** of this Statement), limited and specific types of Personal Data about you or provided by you in your application for a FET programme. For example, FET providers are required to disclose some of your personal data to SOLAS for statistical purposes; and
- to comply with the monitoring, reporting and evaluating requirements of the Department of Education and Skills where you are a participant in an European Union co-funded programme to which they provide funds.

**Legal basis:** SOLAS may process Special Categories of your Personal Data (e.g. information relating to your socio-economic background such as your ethnic or cultural background and/or living circumstances) for the purposes of:

- statistical and research purposes at an aggregate level; and
- comparing the progress of socio-economic groups participating on FET programmes funded through SOLAS.

Such statistics and research will assist in identifying gaps in the FET system and assisting in the development and implementation of appropriate policies (e.g. equal opportunity policies) and interventions for future learners.

**IMPORTANT:** the provision of Special Categories of your Personal Data is **entirely voluntary** and it is for you to **freely decide** to provide such information or not. Such data will be further used (e.g. for reporting purposes) in aggregate form, which means that data is grouped with no identifying information in a statistical format. If you decide to provide this data, you are giving your explicit consent for Special Categories of your Personal Data to be processed for the above purposes. **You have a right to withdraw your consent at any time to the processing of your Special Categories of your Personal Data where it is processed for the above purposes.**

#### 4. Disclosure of your Personal Data

Each of the Controllers undertakes to maintain your Personal Data in secure conditions with appropriate technical and organisational measures to protect it from unauthorised access or use. The Personal Data held on your PLSS record will be disclosed to relevant staff of the relevant Controllers and the FET programme provider and SOLAS on a need-to-know basis. All staff are made aware of the procedures they must follow to ensure your Personal Data is appropriately protected.

The Personal Data you provide may be disclosed to third parties if SOLAS or another Controller is under a duty to disclose or share your Personal Data in order to comply with any legal or regulatory obligation or request or to perform a public function. It may also be necessary to disclose your Personal Data to comply with reporting obligations where you are a participant of a European Union co-funded programme. Some of your Personal Data will be disclosed to allow monitoring, reporting and evaluating of programmes where the programme is co-funded by the European Union. SOLAS may also disclose your Personal Data to Governmental, regulatory and/or public bodies (including those listed in **Appendix 1**) for the purposes outlined in **Appendix 1** or for statistical purposes.

#### 5. Sources of your Personal Data

When you fill in this form, you are providing us with your Personal Data. However, in some instances we also receive Personal Data about you from the Department of Employment Affairs and Social Protection. The Personal Data which is received consists of your PPSN, name, address, email, phone, date of birth, gender, supports required and employment support Group.

#### 6. How long we will keep your Personal Data

The Controllers will keep your Personal Data for the purposes of on-going administration, audit, and review, but only for as long as is necessary to meet the purposes set out in this Statement and in accordance with each Controller's retention policy. Each Controller will keep historical data that is no longer required for these purposes for a set time before disposal according to its data retention policy. In each case, each Controller will not keep your Personal Data for any longer than is necessary in accordance with applicable law.

If you would like more information on a specific Controller's retention policy relating to your Personal Data, please contact Cork ETB's Data Protection Officer at [dataprotection@corketb.ie](mailto:dataprotection@corketb.ie).

#### 7. Your Rights

This subsection sets out the rights which you have to address any concerns or queries with us about our processing of your Personal Data:

Right	Further Information
<b>Right of Access</b>	You have the right to request a copy of the Personal Data held by us about you. We will only charge you for making such an access request where we feel your request is unjustified or excessive.
<b>Right to Rectification</b>	You have the right to request that we amend any inaccurate Personal Data that we have about you.
<b>Right to Erasure</b>	You have the right to ask us to erase your Personal Data where: <ol style="list-style-type: none"><li>1. it is no longer necessary to perform your contract with us;</li><li>2. you object to the processing and we have no overriding legitimate grounds;</li><li>3. your Personal Data has been unlawfully processed; or</li><li>4. it must be erased to comply with a legal obligation.</li></ol>
<b>Right to Restriction of Processing</b>	You have the right to ask us to restrict processing your Personal Data in the following situations: <ol style="list-style-type: none"><li>1. where you contest the accuracy of your Personal Data;</li><li>2. where the processing is unlawful and you do not want us to delete your Personal Data; or</li><li>3. where we no longer need your Personal Data for the purposes of processing but you require the data in relation to a legal claim.</li></ol> <ul style="list-style-type: none"><li>• When you exercise this right we may only store your Personal Data.</li><li>• We may not further process the data unless you consent or the processing is necessary in relation to a legal claim or to protect the rights of another person or legal person or for reasons of important public interest.</li><li>• We will inform you before the processing restriction is lifted.</li></ul>

<b>Right to Data Portability</b>	<p>You may request us to provide you with your Personal Data which you have given us, in a structured, commonly used and machine-readable format and you may request us to transmit your Personal Data directly to another controller, where this is technically feasible. This right only arises where:</p> <ol style="list-style-type: none"> <li>1. we process your Personal Data on the legal basis that it is necessary to perform our contract with you; <b>and</b></li> <li>2. the processing is carried out by automated means.</li> </ol>
<b>Right to Withdraw Consent</b>	<p>If you have given your consent to processing of Special Categories of your Personal Data, you have the right to withdraw your consent to the processing of that data at any time. Note that if you do withdraw your consent, the processing carried out with your consent up to that point will be lawful.</p>

You can exercise any of these rights by submitting a request to Cork ETB's Data Protection Officer at [dataprotection@corketb.ie](mailto:dataprotection@corketb.ie).

You will be provided with information on any action taken upon your request in relation to any of these rights without undue delay and at the latest within one month of receiving your request. A Controller may extend this by up to 2 months if necessary, however we will inform you if this arises.

You have the right to lodge a complaint with the Data Protection Commission with regards to the processing your Personal Data for the purposes outlined in this Statement.

## 8. Changes to this Statement

This Statement may be amended from time to time, in whole or part, at SOLAS' sole discretion. Any changes to this Statement will notified via the website [fetchcourses.ie](http://fetchcourses.ie).

If at any time your Personal Data is used in a manner significantly different from that stated in this Statement, or otherwise disclosed to you at the time it was collected, you will be notified by e-mail / post, and you will have a choice as to whether or not we use your Personal Data in the new manner.

## 9. Contact Us

If you have questions or concerns about this Statement, or if you wish to exercise any of your rights as a data subject, please contact Cork ETB's Data Protection Officer at [dataprotection@corketb.ie](mailto:dataprotection@corketb.ie).

I confirm I have read the Data Protection Statement and that the information given on this form is accurate

Signed \_\_\_\_\_ Date \_\_\_\_\_

## Appendix 1 Data Controllers

**Department of Education and Skills:** To monitor, report and evaluate on programmes.

**Department of Social Protection:** To allow for referrals from DSP, to validate information on applicants in receipt of social welfare payments and update DSP on client outcomes.

**Quality and Qualifications Ireland:** To verify information regarding applicant's certification outputs as a result of attending an FET Programme.

**Higher Education Authority ("HEA"):** To verify and validate applicants who progress to higher education.

**Education and Training Boards and ETBI:** To verify and validate details of applicants who progress to further education.

**Student Universal Support Ireland:** To verify and validate information regarding a learner's attendance or completion of a course and provide financial support.

**Central Statistics Office:** In exercising its functions under the Statistics Act 1993.