



# Privacy Notice - Tendering Contractor / Contractor Staff

July 2018

This privacy notice provides you with information about us, how and why we collect personal information from you, what we do with the personal information we collect from you, who we share your personal information with and your rights under the Data Protection Act in relation to that information.

## Data Protection Registration

Forth Valley College is registered with the Information Commissioner's Office (ICO) as a Data Controller under the Data Protection Act (our registration number is Z6771122). For the purposes of the Data Protection Act, the College is considered a public authority.

## How do We Collect Your Personal Information?

Forth Valley College complies with its obligations under GDPR and relevant Data Protection legislation by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

## Where Does Your Personal Information Come From?

We may collect your personal information in a number of ways, for example:

- When you contact us via telephone or email;
- As part of the tendering process using the PCS, PCS-Tender or AWARD systems
- Collating information to provide e-procurement services i.e PECOS

If you would like more information on the source of your personal information, please contact the Data Protection Officer, details can be found at the end of this document.

## What Types of Personal Information Do We Collect?

The details of the personal information we may collect, in addition to the reasons and lawful basis for processing are shown in the table in appendix 1. This table also details also highlights any 'special category' information we collect and the specific details for processing this information.

## How Do We Share Your Personal Information?

We may share your personal information with the following parties:

- APUC, Centre of Expertise and UK partner Consortia staff
- PCS-T, AWARD, PECOS system providers
- Where we are under a legal obligation to do so
- To prevent fraud and other criminal offences or because of a Court Order for example HRMC, the police.

### **What is the Lawful Basis for Processing your Personal Data**

We will hold personal data relating to your suitability to meet the requirements of the contract under GDPR Article 6(1)(b)) – “Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract”.

Where we collect special category personal data, our justification is under GDPR Article 9(2)(b)- “Processing is necessary for the purposes of carrying out obligations and exercising specific rights of the controller or of the data subject in the field of social protection law”.

### **How long will we keep your Personal Data?**

We keep your personal information only for as long as is reasonably necessary for the purposes for which we process your personal information. These purposes are listed in appendix 1.

We will only retain your personal information for as long as necessary to fulfil the purposes for which we collected it, including to satisfy any legal, accounting or reporting requirements.

### **Your Data Rights**

You may have the following rights over your data, which are set out in the Data Protection Act. These rights are not automatic and are dependent on the provisions of the Data Protection Act. If you are unsure of your rights or wish to exercise any of your rights, you may contact that College’s Data Protection Officer. You have rights to: request access to your personal data; request that we make corrections to your data if it is not accurate; erase your data (under certain circumstances); object to us processing your data or to ask us to stop processing your data (under certain circumstances); withdraw consent for processing (only where consent is the lawful basis for processing your data); complain to the Information Commissioner’s Office; know whether your data is collected to satisfy a statutory or contractual requirement and the consequences of you not providing personal data; be told whether your data is used for automated decision making, including profiling, the logic involved and the consequences of the decision making (if appropriate) and; be told if processing beyond the original purpose of the collection of your data is to be carried out.

### **Data Protection & Security**

We have put in place measures to protect the security of your information. Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality and must comply with the law. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## Data Protection Officer

If you have any questions relating to your personal data, its processing or your rights as a Data Subject, you should contact the College's Data Protection Officer in the first instance:

Data Protection Officer

Forth Valley College

Grangemouth Road

FALKIRK

FK2 9AD

[data.protection@forthvalley.ac.uk](mailto:data.protection@forthvalley.ac.uk)

Should you be unsatisfied or you believe that your data is not being processed in accordance with the Data Protection Act, you may complain to the Information Commissioner's Office (ICO). Further information, including contact details can be found on the ICO's website at <https://ico.org.uk/for-the-public/>.

**Appendix 1 Table showing Personal Information, Reason and Lawful Basis for Processing**

Reason for processing your personal information	Legal basis for processing, and legitimate interest (where applicable)	Your personal information
<ul style="list-style-type: none"> <li>To communicate with you and to facilitate communication between you and other people</li> </ul>	<ul style="list-style-type: none"> <li>To enter or carry out the contract</li> <li>To comply with a legal obligation</li> <li>For our legitimate interests:               <ul style="list-style-type: none"> <li>Business Management</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Name, address, telephone number</li> <li>E-mail addresses;</li> <li>Date of birth;</li> <li>Marital status;</li> <li>Nationality</li> </ul>
<ul style="list-style-type: none"> <li>To assess your suitability to meet the requirements of the contract</li> <li>To assess your skills and experience</li> <li>For assessment and analysis purposes to help improve the operation of, and manage the performance of, our business;</li> <li>To deal with any contract related disputes that may arise</li> </ul>	<ul style="list-style-type: none"> <li>To enter or carry out the contract</li> <li>To comply with a legal obligation</li> <li>For our legitimate interests:               <ul style="list-style-type: none"> <li>Business Management</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Work visas;</li> <li>ID information such as passport details and driving licence information;</li> <li>Records/results of pre-employment checks, including criminal record checks.</li> <li>CVs</li> <li>References;</li> <li>Records of qualifications, skills and training;</li> <li>Details of work history and experience</li> </ul>
<ul style="list-style-type: none"> <li>To provide e-procurement services</li> </ul>	<ul style="list-style-type: none"> <li>To enter or carry out the contract</li> </ul>	<ul style="list-style-type: none"> <li>Name, address, telephone number</li> <li>E-mail addresses;</li> <li>Bank details (if required)</li> </ul>