

**Skillnet Ireland**  
**ESF+ Data Privacy Notice**





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## 1. Introduction

### 1.1. About Skillnet Ireland

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. Skillnet Ireland is mandated by the Department of Further and Higher Education, Research, Innovation & Science (DFHERIS), to monitor and evaluate training programmes provided by our Networks and to ensure that funds are being used appropriately.

### 1.2. About the ESF+ Data Privacy Notice

This Data Privacy Notice outlines how Skillnet Ireland collects, processes, and protects your personal data in connection with the ESF+ (European Social Fund +) programs. The information provided within this Data Privacy Notice for guidance purposes only and does not constitute legal advice or analysis.

### 1.3. Changes to the Privacy Statement

Our Privacy Notice may change from time to time and any changes to the Notice will be posted on this page. This Data Privacy Notice was revised in January 2024.

### 1.4. Data Protection Legislation & Compliance

In Ireland, the Data Protection Commission (DPC) oversees compliance with EU Data Protection Legislation framework, which includes General Data Protection Regulation (GDPR), the Data Protection Acts 1988 and 2003, Data Protection Act 2018 and ePrivacy Regulations 2011 (the Framework). The Framework govern all activities we engage in regarding the processing of personal data and compliance is mandatory.

Skillnet Ireland is registered as a data controller. All Skillnet Ireland employees and contractors are required to comply with our Data Protection Policy 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 may result in disciplinary action or sanction.

As part of our data processing activities for ESF+, you will be asked to complete forms where you are asked to share certain personal details about you. You will also be contacted up to 4 weeks and again up to 6 months after the completion of an ESF+ funded course. You may wish to review this Data Privacy Notice before completing any forms, or sharing your data, so that you are aware of how we comply with Data Protection Legislation framework.

### 1.5. Our Obligations

Skillnet Ireland is committed to achieving the highest standards of compliance with the EU Data Protection Legislation Framework. As part of this commitment, we will ensure that your personal data is:

- Obtained fairly and with your knowledge.
- Used only for the purpose for which it was collected.
- Handled and stored securely.



- Kept only as long as is necessary.
- Never shared with third parties without your consent.

Our data processing activities adhere to the Common provisions Regulation (EU) 2021/1060 and the ESF+ Regulation (EU) 2021/1057, as well as Ireland's ESF+ Operational Programme for 2021-2027 (EIST)

#### 1.6. Contact us

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.

Name	Jennifer Walsh
Telephone	+ 353 87 167 9255
Email	dpo@skillnetireland.ie
Post	5th Floor, Q House, Furze Road, Sandyford, Dublin 18, D18 E268

## 2. Data Processing Activities

Data Processing Activities describes the personal data that we collect in connection with our services and functions, why we are collecting this data, our lawful basis for processing this data and the length of time we retain this data. Skillnet Ireland processes personal data for the purposes set out in this data privacy notice and for any other purposes specifically permitted by the DPAs (or when applicable, the GDPR) or as required by law.

### 2.1. Lawful basis for collecting and processing personal data

The lawful basis for processing your personal data is 'necessary legitimate interest' and 'consent'. Skillnet Ireland has conducted a 'necessary legitimate interests' balancing test which involved identifying the 'necessary legitimate interests' of us (the data controller), the data subjects, data processors, the Managing Authority, and the interests of the public.

To manage the ESF+ program, the Managing Authority has assigned specific data processing roles. Skillnet Ireland is the data controller, and the Contracting Organisations or Skillnet Networks (data processors) who have applied for funding under the ESF+ program is designated as Data Processors and acts on behalf of Skillnet Ireland.

### 2.2. Information we may collect and process.

On behalf of Skillnet Ireland, the data processors will collect and store your personal data for the purpose of enrolling you in their ESF+ Courses. Your data will be stored digitally, in a secure file, with appropriate restrictions and security measures in place. Such data is collected from ESF+ Course Participants and includes (but is not limited to), name, address, email address, data of birth, IP address, private and confidential information, including education level and employment status.

### 2.3. How we use personal data we collect

When you share your data with us, it will not be disclosed to any other third parties without your consent. We will store your personal data only for as long as necessary for the purposes and legal basis set out at the time of collection. At the start of each ESF+ course, these data will be uploaded to Sonrai database, which is managed by Skillnet Ireland.

Following course completion, the data processors will contact course participants using the contact details provided to collect feedback about the course and any resulting benefits that might have resulted from their participation. This contact will happen up to 4 weeks and again up to 6 months after the course end date.

### 2.4. Recipients of your personal data

Your personal data will only be shared with a restricted number of Network employees, relevant Skillnet Ireland employees and the Managing Authority for the purpose of managing the ESF+ funding program and reporting on program outcomes. Those who access your data can only do so for the purpose of managing the ESF+ Programme. Your personal data will be stored securely in line your permissions as set out at the time of collection and will not be shared with Third Parties without your consent.

### 2.5. Retention of your personal data

In line with our ESF+ obligations, the information you share with us will be held securely for 5 years from the date of your last interaction with us, at which time it will be anonymised.

### 2.6. Disclosure of your personal data

At regular intervals, the data collected will be shared with the Managing Authority for the purpose of tracking programme KPI's and to drawdown additional funding. The information you share with us will not be published in a way risks your identity and only shared with the agreed programme partners for reporting and funding purposes, and to assess the success of the ESF+ programme.

### 2.7. Security of your personal data

We take appropriate security measures against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data. We have procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction.

### 2.8. Links to other sites

From time to time our website, social media posts or emails may contain links to and from other websites. Please note that if you follow a link to any of those websites, those websites have their own privacy policies and we do not accept any responsibility or liability for those policies. Please check those policies before you submit any personal data to those websites.

## 3. Your Rights

You have rights regarding the processing of your personal data, including the rights to access, rectify and erase any information that can be used to identify you.

### 3.1. Data Subject Requests

Data subjects must make a formal request for personal data we hold about them or otherwise to exercise their data protection rights under the GDPR. 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 would like to make a Data Subject Request, or if you have any questions about this Data Privacy Notice or about our data protection compliance, please contact our DPO or complete the Data Subject Request Form.

Your request should include the following:

- your contact details,
- a note that the request is being made under the General Data Protection Regulation,
- the type of request being made,
- as much information as possible about the request so that we can accurately identify your data,
- written permission if someone is making a request on your behalf,
- proof of identity to validate that the requester is the data subject or has been granted permission to act on behalf of the data subject, and

- in what format you wish to receive any records released, such as paper copy or electronic copy.

We will respond to all valid requests within one month, unless it is particularly complicated or you have made repeated requests in which case we will respond, at the latest, within three months. We will inform you of any such extension within one month of receipt of your request, together with the reasons for the delay.

For all data subject requests, proof of identity is required to verify that the requester is the data subject or acting on behalf of the data subject. We accept copies of your National ID Card, driving licence or passport. Additionally, in certain circumstances we may request additional proof, such as a utility bill that is not older than 3 months. You will not be charged a fee to exercise any of your rights unless your request is clearly unfounded, repetitive, or excessive, in which case we will charge a reasonable fee in the circumstances or refuse to act on the request.

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](#). If you have any concerns, or wish to make a complaint, you can contact the Data Protection Commissioner as follows:

- Go to their website [www.dataprotection.ie](http://www.dataprotection.ie)
- Phone on +353 87 103 0813
- Email [info@dataprotection.ie](mailto:info@dataprotection.ie)
- Postal address: Data Protection Commission, 21 Fitzwilliam Square Dublin 2, D02 RD28.



## 4. Appendix

### 4.1. Data Processing Activities

<b>Categories of Personal Data</b>	
<p><b>Mandatory:</b> Personal data, including;</p> <ul style="list-style-type: none"> <li>- Your Name</li> <li>- Your Email Address</li> <li>- Your Phone Number</li> <li>- Your Address</li> <li>- Your Employment status</li> <li>- Your Education Level</li> <li>- Proof of qualification</li> </ul>	<p><b>Optional:</b> Special category data, including;</p> <ul style="list-style-type: none"> <li>- Your health</li> <li>- Your Nationality</li> <li>- Your housing status</li> <li>- And other sensitive information</li> <li>- Any other information that may be required to complete processing, as set out in the request descriptor</li> </ul>
<b>Purpose(s) for Processing</b>	
<ul style="list-style-type: none"> <li>- To register you as a participant</li> <li>- To notify you about changes to our Data Protection Notice.</li> <li>- To ask you to participate in an ESF+ related survey or interview.</li> <li>- To contact you in relation to your application.</li> <li>- To facilitate providing training programs and online training resources.</li> <li>- To participate in EU Funded programs / international standard bodies.</li> <li>- To comply with ESF+ funding regulations.</li> <li>- To send you email alerts and newsletters that you have opted-in to receive by filling in our online forms or contacting us by email or by other means, and</li> <li>- To contact you regarding the services provided by us.</li> <li>- To validate your selection for the programme based on course criteria.</li> </ul>	
<b>Legal Basis for Processing</b>	
<ul style="list-style-type: none"> <li>- Where you have given consent to the processing of your personal data, which you may withdraw at any time.</li> <li>- Where the processing is necessary for the performance of a task carried out in the public interest or in the exercise of an official authority vested in us.</li> <li>- Where your consent is not required and you have not objected, the use of the data is necessary for our legitimate interest in managing the ESF+ funding program, including administrative and management purposes provided our interests are not overridden by your interests.</li> <li>- Where the processing is necessary to support our legitimate interests in managing the ESF+ funding program, provided you have given your consent</li> </ul>	
<b>Retention Period</b>	
<ul style="list-style-type: none"> <li>- For the ESF+ program, data must be retained for 5 years after the last funding payment, or</li> <li>- Until consent is withdrawn, unless there is a legal requirement to retain your data to comply with legislation</li> </ul>	



## 4.2. Your Rights

Your Rights	What it means
The right to be informed	You have the right to be informed about how your personal data is being collected, processed, and stored.
The right of access	You have the right to request and obtain a copy of personal data we hold
The right to rectification	You have the right to request correction of inaccurate or incomplete personal data held by us.
The right to erasure (Right to be forgotten)	<p>Under certain circumstances, you have the right to request that your personal data be erased-</p> <ul style="list-style-type: none"> <li>- The personal data are no longer needed for the purpose for which they were collected.</li> <li>- You withdraw your consent (where the processing was based on consent).</li> <li>- You object to the processing and there are no overriding legitimate grounds justifying us processing the personal data (see Right to Object below).</li> <li>- The personal data have been unlawfully processed.</li> <li>- To comply with a legal obligation.</li> </ul> <p>However, this right does not apply where, for example, the processing is necessary-</p> <ul style="list-style-type: none"> <li>- To complying with a legal obligation,</li> <li>- For the establishment, exercise, or defence of legal claims.</li> </ul>
The right to restrict processing. (Right to request that your data is held, but not used)	<p>You have the right to request that your personal data is restricted, where-</p> <ul style="list-style-type: none"> <li>- The accuracy of the personal data is contested,</li> <li>- The processing is unlawful, but you do not want it erased,</li> <li>- We no longer need the personal data, but you require it for the establishment, exercise or defence of legal claims, or</li> <li>- You have objected to the processing and verification as to our overriding legitimate grounds is pending.</li> </ul> <p>However, we can continue to use your personal data:</p> <ul style="list-style-type: none"> <li>- Where we have your consent to do so,</li> <li>- For the establishment, exercise, or defence of legal claims,</li> <li>- To protect the rights of another, or</li> <li>- For reasons of legitimate public interest.</li> </ul>
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.
The right to object	You have the right to object to the processing of your personal data in those cases where we are processing your personal data in reliance on our legitimate interest, for the performance of a task carried out in the public interest or in the exercise of our official authority In such a case, we will stop processing these data until we can demonstrate legitimate grounds for processing that overrides the individuals' legitimate interest, rights and freedoms.
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.
Complaints	You have the right to lodge a complaint with the Data Protection Commission if you consider that the processing of your personal data infringes with your rights or does not comply with the GDPR.
Further Information	For more information in relation to your rights, <a href="#">please contact our DPO</a>



### 4.3. Definitions

Item	What it means
The “Data Subject”	A living person who is identifiable or identified directly or indirectly using an “Identifier” or “Personal Data.”
“Personal Data” or an “Identifier”	<p>Any information about a living person where that person is or can be reasonably identified.</p> <p>Personal data can include.</p> <ul style="list-style-type: none"> <li>- a name, address, or phone number,</li> <li>- description of physical characteristics,</li> <li>- date of birth or age range,</li> <li>- an opinion about that person, including their actions and behaviour,</li> <li>- information that captures a data subjects’ image or voice, (photo, video or audio recording that is processed electronically),</li> <li>- location data or meta data stored electronically</li> </ul>
“Sensitive Personal Data” or “Special Category Data”	<p>Data that records a living person’s</p> <ul style="list-style-type: none"> <li>- racial or ethnic origin,</li> <li>- political opinions,</li> <li>- religious or philosophical beliefs,</li> <li>- trade union membership,</li> <li>- genetic data,</li> <li>- biometric data,</li> <li>- health data or</li> <li>- data relating to sexual orientation.</li> </ul> <p>The processing of sensitive personal data is prohibited without explicit consent.</p>
“Processing”.	Changes to or movement of personal or sensitive data, including collecting, storing, retrieving, consulting, sharing and erasing except in situations where this processing is done for personal or household activities
“Data Controllers” are	<p>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.</p> <p>For ESF+, the Data Controller is Skillnet Ireland.</p>
“Data Processors”	<p>People or organisations who process personal data on behalf of the controller.</p> <p>For ESF+, the Data Processor is the Network or scheme that is running and/or managing the course you are participating in.</p>
“Necessary Legitimate Interest”	The 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.
Managing Authority	The body with overall responsibility for the implementation of an ESF+ Programme. For ESF+, the managing Authority is DFHERIS.

