

## Privacy Notice

College Development Network, a Private Limited Company by guarantee (company number SC143514), whose registered office is Airthrey Castle, Hermitage Road, Stirling, Stirlingshire FK9 4LA (“CDN”) provides you with this privacy notice to explain how CDN may collect, use, share and process your personal data in relation to services we offer through our [website](#) (the “Website”) and other online and traditional communication channels. In this privacy notice, references to “we” and “us” (and connected words such as “our”) refer to CDN. We will process your personal data under the terms of this privacy notice and in accordance with any agreement with you.

We are a “data controller” in terms under data protection laws (including the General Data Protection Regulation 2016, as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018 and as amended by the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (UK GDPR), the Data Protection Act 2018 (DPA 2018), the Privacy and Electronic Communication (EC Directive) Regulations 2003 and any other applicable laws in the UK from time to time relating to the protection of personal data and privacy) (“Data Protection Laws”).

### Summary

|                                    |  |
|------------------------------------|--|
| <b>Personal data we collect.</b>   | We collect personal data about you in connection with your registration with, use of or enquiries about our services. Most personal data we collect is not special category personal data, but some personal data may be considered to be ‘special category’ personal data in terms of Data Protection Laws. We set out what personal data we process below. |
| <b>Using your personal data.</b>   | We use your personal data to perform our functions and activities generally, provide our services, operate the Website, respond to your queries, provide you with support, process your payments, produce usage statistics for management and planning, and market our products and services.  |
| <b>Sharing your personal data.</b> | We may share your personal data with your employer, with selected third parties (including our key partners and key stakeholders) and as required or permitted by law.   |
| <b>Marketing.</b>                  | We may use your personal data to send various marketing communications to you in accordance with Data Protection Laws and your preferences.  |
| <b>Storing your personal data.</b> | Most of your personal data is held within the UK or EEA (see below), although some non-special category personal data may be transferred to, and held at, a location outside the EEA. We take all necessary steps under Data Protection Laws to prevent unauthorised access, or loss or damage, to your personal data.                                       |

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|---|--|
| <b>Your rights.</b>                     | You have the right to be informed if we are processing your personal data, and the right to access personal data we hold about you, upon request.  |
| <b>Cookies.</b>                         | We use cookies across our Website. Please see further information in our <a href="#">Cookie Policy here.</a>   |
| <b>Changes.</b>                         | We will tell you about material changes to this privacy notice by posting it on our Website, before it comes into effect, and via email.   |
| <b>Retention of your personal data.</b> | We hold your personal data for as long as you are receiving our services and afterwards for as long as may be necessary for establishing, exercising or defending legal rights. This will generally be for a minimum of five years and a maximum of seven years. |
| <b>Contact us.</b>                      | If you have any queries about how your personal data is being used or about this privacy statement, please contact us at <a href="mailto:info@cdn.ac.uk">info@cdn.ac.uk</a>  |

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## How we use your personal data

**Performing our functions and activities.** CDN is a registered charity which supports and promotes the learning community in the college sector. Our core functions and activities depend on our relationships with key partners and key stakeholders at a college and strategic level. This is what allows us to ensure we design and deliver services that maximise value and benefits to the college sector. We use your personal data in relation to foster these relationships with key partners and stakeholders to perform our functions and activities as an educational charity generally.

**Providing you with our services.** We use the personal data you provide us with in order to enable you to book events and purchase other products or services, to enable you to use our forums, to communicate with you about our products and services (for example, through our newsletter), and to manage your account.

**The Moodle LearnOnline virtual learning environment (the “Moodle”).** We use the personal data we hold about you in connection with the Moodle to provide you with support, for system administration and bug tracking, and for producing usage statistics for management and planning purposes. Access to this information is restricted to designated course tutors, the senior learning technologist and the operations manager and other authorised CDN personnel. Information recorded through Moodle may also be used to create summary statistics which may be made publicly available, and may be shared with directly with colleges and other relevant stakeholders. CDN may also share a user’s name and evidence of such user’s use of and/or participation in the Moodle with that user’s relevant institution.

**Improving events.** We (and selected third parties to whom we may pass such data) use anonymised data provided to us through Survey Monkey to improve events and courses offered to you.

**Processing payments.** We use your payment card information and other details to process your transaction and to provide you with customer service and related support.

**Operating our services.** We use your information to ensure that content on our Website is presented in the most effective manner for you and for your computer; to administer our Website and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes; to keep our Website safe and secure; and to notify you about changes to our services.

**Improving our business.** We also use your information to ensure that content is presented in the most effective manner for your and for your computer; and to perform, analyse and improve our Website, business and services.

### Personal data we process and our legal bases for processing

| Type of personal data  | Purpose  | Legal basis/bases   |
|--|--|---|
| <p><b>Registration information.</b><br/>This personal data may include personal data such as your name, postal address, email address and areas of interest.</p>   | To keep in touch with you and to provide you with information. | Depending on the context: <ul style="list-style-type: none"> <li>• Consent</li> <li>• Necessity of performing a contract with you</li> <li>• or necessity in our legitimate interests. Our legitimate interest would include keeping in contact with you and providing you with marketing materials (subject to Data Protection Laws).</li> </ul> |
| <p>Special category personal data (such as racial or ethnic origin, and physical or mental health or conditions) may be collected for example, in relation to Chartered Management Institute and Scottish Qualifications Authority candidates registering with us.</p> | To comply with equal opportunities legislation.                | Substantial public interest in relation to the Equality Act 2010 and the DPA 2018, Sch 1, Part 2, 8 ('Equality of opportunity or treatment').   |

| Type of personal data  | Purpose   | Legal basis/bases   |
|--|---|---|
| <p><b>The Moodle.</b> In connection with our operation of the Moodle, which is accessible through and part of our Website, we hold course-specific tracking information in the form of Moodle logs which contain detailed information about user activity collected in relation to each course, including: the date and time of when course-specific information was viewed and updated; the details of those updates; the user's name, location and email address; information about contributions to courses; contributions to chat rooms and discussion forums; and evidence of participation in other Moodle-based activities.</p> | <p>To promote the optimal operation of the Moodle virtual learning environment.</p> | <p>Our legitimate interest. Our legitimate interest is to provide you with support, for system administration and bug tracking, and for producing usage statistics for management and planning purposes</p>   |
| <p><b>Booking events.</b> When you book a CDN event or course through the Website, you provide us with specific personal data including your email address, name, organisation or college, subject area, postal address and contact phone details.</p>   | <p>To run events effectively.</p>   | <p>In order for us to perform a contract we have with you.</p>  |
| <p>If you choose to provide feedback on our events and courses, you provide data on an anonymous basis directly to a third-party service provider.</p>   | <p>To gather data to assess our services and to determine potential changes.</p>    | <p>Our legitimate interest. Our legitimate interest is to seek feedback on our services. CDN receives a report showing only anonymous data. Some specific comments you provide are taken as testimonials and used in marketing materials, but these comments are always anonymously attributed.</p> |

| Type of personal data  | Purpose  | Legal basis/bases  |
|--|--|--|
| <p><b>Payment information.</b> We may provide you with an online payment facility for booking events and courses or purchasing other products from us, in which case you will be required to provide payment card information and other details to us or a third party service provider in order to process such payments.</p>             | <p>To facilitate and process payments.</p>   | <p>In order for us to perform a contract we have with you.</p>   |
| <p><b>Technical data.</b> We collect information about how you use the Website and how you access our services, including your computer's IP address and information that can be derived from it (such as your internet provider and geographic location). We collect some of this information using cookies and similar technologies.</p> | <p>To administer our website effectively; to optimise performance, communication and security.</p> | <p>Our legitimate interest. Our legitimate interest is that the content on our Website is presented in the most effective manner for you and for your computer; to administer our Website and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes; to keep our Website safe and secure; and to notify you about changes to our services.</p> |

### Obtaining your personal data

In most cases we will obtain this information from you directly.

### Freedom of Information

We are subject to the requirements of the Freedom of Information (Scotland) Act 2002 ("FOISA") and the Environmental Information (Scotland) Regulations 2004 ("EIRs"), and may be required under the FOISA and the EIRs to disclose your personal data, subject to exemptions contained in the FOISA and the EIRs.

## Sharing your personal data

**Selected third parties.** We may, if necessary and appropriate and in accordance with Data Protection Laws, share your personal data with carefully selected third parties, including:

- Key partners, including the Scottish Government and the Scottish Funding Council.
- Key stakeholders, including public sector and not for profit education agencies (such as Education Scotland, Skills Development Scotland, the Scottish Qualifications Authority, and the Scottish Credit Qualifications Framework).
- Awarding and accreditation bodies (such as the Chartered Management Institute and the Scottish Qualifications Authority), to enable candidates to proceed with the accreditation.
- Schools, colleges and other relevant training establishments.
- Your employer.
- Other voluntary sector and not for profit organisations with whom we partner to deliver services.

**Analytics.** We may share your personal data with analytics and search engine providers that assist us in the improvement and optimisation of our Website.

**Successor entity.** Your personal data may be disclosed to a successor organisation in the event that a third party organisation assumes the role of CDN and takes on the functions and activities of CDN.

**Compliance with law.** We may share your personal data if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or to protect the rights, property, or safety of CDN, our customers, or others.

We may also share personal data with other parties as instructed by you or subject to your consent.

## Marketing

We may use your personal data to provide you with information about other services we offer that are similar to those that you have already purchased or enquired about. Where we have obtained your details in the course of a previous sale or negotiations of a previous sale to you, we may contact you by electronic means with information about services similar to those which were the subject of this previous transaction unless you tell us you do not want us to by opting out.

We may send you marketing material by email, by post, online and by any other communication channels, in accordance with Data Protection Laws and your preferences. You may opt-in to our marketing email lists.

We may also send you service messages, which are essential for our services. These include messages relating to managing your account and to fulfilling your requests. If you opt out of receiving marketing messages, you will continue to receive these service messages.

## Security

We employ administrative, electronic and physical security measures to ensure that the personal data that we collect about you is protected from access by unauthorised persons and protected against unlawful processing, accidental loss, destruction and damage.

## Storing your personal data

Most of the personal data that we collect from you is held within the European Economic Area (“EEA”); however, some non-special category personal data may be transferred to, and stored at, a destination outside the EEA. It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. Such staff may be engaged in, among other things, the processing of your personal data and the provision of support services. By submitting your personal data to us, you agree to this transfer, storing or processing. If and when processing outside the EEA occurs, there will be protections in place to ensure the recipient protects the data to similar standards as apply in the EEA. The protections include:

- transferring to a non-EEA country with privacy laws that give similar protections as apply in the UK and the EEA.
- putting in place a contract with the recipient in a form approved by the Information Commissioner’s Office (ICO) or the European Commission that means they must protect personal data to similar standards as apply in the UK or the EEA. This is generally achieved by using Standard Contractual Clauses (SCCs).
- transfer personal data to international organisations based on additional risk assessment and safeguards.

Where we have given you (or where you have chosen) a password which enables you to access certain parts of our site, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your personal data transmitted to our site; any transmission is at your own risk. Once we have received your personal data, we will use strict procedures and security features to try to prevent unauthorised access.

We follow strict security procedures in the storage and disclosure of personal data in order to ensure compliance with all applicable legal requirements, including by taking all reasonable steps to prevent unauthorised access or damage to, or loss or destruction of, personal data.

## Your rights

You have the right to be informed whether we are processing your personal data.

As an individual, you have the following rights as a data subject under applicable Data Protection Laws in relation to the processing of your personal data:

- The right to request from us access to information held about you - (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- The right to request that inaccurate data held about you is rectified - this enables you to have any incomplete or inaccurate information we hold about you corrected.
- The right to request the erasure of personal data - this enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing.
- The right to restriction of processing - this enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- The right to object to processing - objection to processing of your personal information can occur where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes; and
- The right to data portability.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

You have the right to ask us at any time not to process your personal data for marketing purposes.

Our Website, from time-to-time, may contain links to and from the websites of our partner networks or affiliates. If you follow the link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

## Cookies

Our website uses cookies to distinguish you from other users of our site. This helps us to provide you with a good experience when you browse our site and also allows us to improve our site. For detailed information on the cookies we use and the purposes for which we use them see our Cookie Policy.



## **Changes**

We keep this privacy notice under regular review and reserve the right to update and amend it. This notice was last updated in July 2022. Please check back frequently to see any updates or changes to our privacy notice.

## **Retention of your personal data**

We will hold your personal data for as long as we are providing our services to you and afterwards for as long as may be necessary for establishing, exercising or defending legal rights. We will retain personal data securely and only in line with how long it is necessary to keep for the purposes or for a legitimate and lawful reason - this will generally be for a minimum of five years and a maximum of seven years. Some personal data may be retained for longer where it is in our legitimate interest to do so, such as to protect and defend our legal rights; or for research, archiving or statistical purposes. Individuals can request that other information relating to them be erased and we will deal with such requests in accordance with the law.

## **Complaints**

If you think there is an issue in the way in which we handle your personal data, you have a right to raise a complaint with the Information Commissioner's Office. Their website contains details of how to make a complaint.

## **Contacts**

If you have any questions or comments about how CDN uses your personal data or about this privacy notice, or would like to exercise your rights, please contact us by [info@cdn.ac.uk](mailto:info@cdn.ac.uk)