

## **CITB NI General Privacy Notice- your rights, your information and how we use it**

CITB NI is committed to protecting your personal information.

Our Privacy Policy contains important information about what personal details we collect; why we collect it: what we do with that information; who we may share it with and why; and your choices and rights when it comes to the personal information you have given us.

CITB NI may amend our Privacy Notice from time to time; so please check our website for updates. If there are important changes such as how your personal data will be processed; we will contact you to let you know.

This version of our Privacy Notice was last updated **April 2020**

### **Who is CITB NI?**

CITB NI is an Industrial Training Board (ITB) established under the Industrial Training Act (Northern Ireland) 1964 and subsequently repealed by the 1984 Industrial Training Order (and associated legislation), to encourage the adequate training of those employed or intending to be employed in the construction industry in Northern Ireland.

### **Why CITB NI is processing personal information?**

#### **Information from industry and Registered Employers, their employees and Agents acting on behalf of Registered Employers**

- For the Collection of Levy and encouragement of adequate training within the Construction Industry
- CITB NI collects and holds information on Employers, their staff and Agents acting on their behalf in accordance with its legislative obligations under the Industrial Training (Northern Ireland) Order 1984 Clause 28 and the Industrial Training Levy (Construction Industry) Order (updated annually).
- The information will only be used for the Performance of Tasks carried out in connection with CITB NI's obligations under, but not exclusive to, the Industrial Training (Northern Ireland) Order 1984 Clauses 12, 15, 16, 23, 24, 25, 26, 28 and 30.

#### **Information from Training Providers, Industry Bodies and Educational Facilities**

- The information will only be used for the Performance of Tasks carried out in connection with CITB NI's obligations under, but not exclusive to, the Industrial Training (Northern Ireland) Order 1984 Clauses 12, 15, 16, 23, 24, 25, 26, 28 and 30.
- Provide industry with information on training provision delivered by Training Providers, Industry Bodies and Educational Facilities

## **Information from delegates for the purposes of course registration**

- Received on the basis of course participation
- **Information from Staff**
- As an employer CITB NI need to keep and process information for normal employment purposes. The information held and processed will be used for CITB NI management, administration, legal obligation and auditing purposes only. Staff will be informed of any additional use of their data.
- CITB NI will keep and use it to enable us to run the organisation and manage our relationship with employees effectively, lawfully and appropriately, during recruitment process, whilst working for us, at the time when employment ends and after leaving. This includes using information to enable us to comply with the employment contract, to comply with any legal requirements and to protect our legal position in the event of legal proceedings.
- If we don't retain this data, we may be unable in some circumstances to comply with our obligations.

## **Where does CITB NI get personal data from?**

### **Data provided by industry and Registered Employers, their employees and Agents acting on behalf of Registered Employers**

- The CITB NI Annual Levy Return.
- Information provided from Employers and their authorised staff and / or Agents.
- Audits carried out by CITB NI staff and their Agents in accordance with legislation and tasks required in executing its legislative duties.
- Information submitted in the Grant Application process which is a task carried out in execution of its legislative obligations.
- Information gathered relating to attendance at CITB NI training and information events, which is a task carried out in execution of its legislative obligations.
- Information provided by companies, company representatives and individuals in relation to CITB NI's operations carried out in accordance with its legislative obligations.
- Information from Training Providers, Industry Bodies and Educational Facilities

### **Information from Training Providers, Industry Bodies and Educational Facilities**

- Information is provided by training providers, individuals and educational facilities directly.
- Information may be obtained from open source material on public directories or websites for individual Training Providers, Industry Bodies and Educational Facilities.

## **Information from course delegates for the purposes of course registration**

- Personal information provided by the delegate

## **Information from Staff**

- Much of the information we hold will have been provided by employees, but some may come from other internal sources, such as a manager, or in some cases, external sources, such as referees.

## **What information does CITB NI hold?**

### **Data provided by industry and Registered Employers, their employees and Agents acting on behalf of Registered Employers**

- Data provided on the CITB NI Annual Levy Return.
- Names and contact details of Employers and their authorised staff and / or Agents.
- Data on emoluments provided through the Annual Levy Return and audits carried out by CITB NI staff and their Agents in accordance with legislation and tasks required in executing its legislative duties.
- Names, NI numbers and certification submitted in the Grant Application process which is a task carried out in execution of its legislative obligations.
- Names and contact information gathered relating to attendance at CITB NI training and information events.
- General information and contact details provided by companies, company representatives and individuals in relation to CITB NI's operations carried out in accordance with its legislative obligations.
- Contact information, potentially including names of individuals and organisational contact details from Training Providers, Industry Bodies and Educational Facilities.

### **Information from Training Providers, Industry Bodies and Educational Facilities**

- Contact information, potentially including names of individuals and organisational contact details from Training Providers, Industry Bodies and Educational Facilities.

## **Information from course delegates for the purpose of registration**

- Contact information such as name, address, email contact, phone number

## **Information from Staff**

- Application forms and references, contract of employment and any amendments to it; correspondence with or about employees, for example letters about a pay rise or, at request, a letter to a mortgage company confirming salary; information needed for payroll, benefits and expense purposes; contact and emergency contact details; records of holiday, sickness and other absence; information needed for equal opportunity monitoring legislation; and records relating to career history, such as learning and development records, performance reviews and other performance measures and, where appropriate, disciplinary and grievance records.
- Information needed for payroll and expense purposes for Chairman and Board members

- Employees will, of course, inevitably be referred to in many company documents and records that are produced in the course of carrying out the business of the organisation.
- Where necessary, CITB NI may keep information relating to health, which could include reasons for absence and GP reports and notes. This information will be used in order to comply with our health and safety and occupational obligations. We will also need this data to administer and manage statutory and occupational sick pay, pension and life assurance benefits.
- Where CITB NI processes special categories of information relating to racial or ethnic origin, political opinions, religious belief, trade union membership or sexual orientation we will obtain explicit consent to those activities unless this is required by law or the information is required to protect your health in an emergency.

Where CITB NI relies on consent, which is where the data subject has provided clear consent to process their personal data for a specific purpose, as a condition for processing, it will

- Ensure that consent is clear and unambiguous
- Place consent declarations separate from other terms and conditions
- Provide clear and easy ways for subjects to withdraw consent at any time
- Act on withdrawal of consent as soon as possible
- Retain records of consent/withdrawals of consent throughout the lifetime of the data processing
- In addition, CITB NI monitors computer and telephone use, as detailed in our ICT policy. We also have a CCTV camera system around the perimeter of the building for the purpose of preventing and detecting crime.

### **Does CITB NI share personal data with anyone else?**

#### **Information from industry and Registered Employers, their employees and Agents acting on behalf of Registered Employers**

- The information obtained will only be used for the purposes of Collection of Levy and encouragement of adequate training within the Construction Industry.
- CITB NI does not share your personal information with 3<sup>rd</sup> parties except under Legislative obligations or in the performance of its tasks carried out in accordance with its legislative obligations.
- CITB NI may share data with your Accountant/agent in order to assist you in fulfilling your legislative obligation.
- CITB NI provides access to an employer's alphabetical listing to assist employers in the completion of the statutory annual return form. This list provides names and addresses of all registered employers. The purpose of this list is to avoid potential duplication of levy payments.
- CITB NI may use external mailing facilities in the operation of its legislative duties. Where this occurs, data sharing agreements are in place to guard against misuse.
- Where data is transferred or shared it will be done so securely and, where transferred electronically, encrypted.

### **Information from Training Providers, Industry Bodies and Educational Facilities**

- Information on training provision delivered by Training Providers, Industry Bodies and Educational Facilities is published on CITB NI's on-line Training Directory

### **Information from course delegate**

- Shared with the training provider to use and retain the information for the purposes of the logistical and financial management of the course.

### **Information from Staff**

- CITB NI will only share information with those organisations where we are legally obliged to do so or where we need to comply with our contractual duties. For instance we need to pass on information to HMRC, NILGOSC in relation to the administration of pension, for the purpose of detection and elimination of fraud under the National Fraud Initiative.
- Where data is transferred or shared it will be done so securely and, where transferred electronically, encrypted.

### **Does CITB NI transfer personal data to other countries?**

Personal Data is not exported outside of the EEA for the purposes of administering the CITB NI's operations, however we may employ third party companies and individuals to facilitate our own service provision, to provide a service on our behalf, to perform related services or to assist us in analysing how our service is used. These third parties have access to personal information only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose.

These third parties may be located outside of the EEA in which case we will only use third parties that have been certified to the obligations and standards equivalent to those in the EEA, which means they lawfully transfer and protect the personal data of EU/EEA residents.

For example, we use Constant Contact to send email updates. We can confirm that Constant Contact's privacy program has been certified to the obligations and standards of the EU-US and Swiss-US Privacy Shields, which means they lawfully transfer and protect the personal data of EU/EEA residents to the U.S. pursuant to the rules of the Federal Trade Commission and the EU.

In the event that a dispute arises with regards to the international transfer of data, the courts of Northern Ireland shall have exclusive jurisdiction over the matter.

### **Where does CITB NI process its information?**

Information is generally processed by CITB NI within its offices. Information provided on-line may be held temporarily on host websites and transferred to CITB NI's servers. Once transferred the information on the host servers is deleted.

### **How does CITB NI protect personal data?**

CITB NI takes information and system security very seriously and we strive to comply with our obligations at all times. Any personal information which is collected, recorded or used in any way, whether on paper, online or any other media, will have appropriate safeguards applied in line with our data protection obligations.

Your information is protected by controls designed to minimise loss or damage through accident, negligence or deliberate actions.

Our employees also protect sensitive or confidential information when storing or transmitting information electronically.

## **How long does CITB NI keep personal data?**

### **Information from industry and Registered Employers, their employees and Agents acting on behalf of Registered Employers**

Information obtained will be disposed of in accordance with CITB NI's disposal policy and schedule:

- Levy information will be held for 7 years.
- Grant information will be held for 7 years
- Financial information will be held for 7 years
- Legal information and documents will be held for 10 years
- Course / event participant information will be held for 7 years

Information will be securely disposed of after that period of time.

### **Information from Training Providers, Industry Bodies and Educational Facilities**

- CITB NI endeavours to ensure information on its web site relating to companies and stakeholders and individuals providing training is current. The information is provided to provide signposting to these companies to promote training within the construction industry. The information does not have a disposal policy but is updated on receipt of fresh information from the companies involved.

### **Information from delegates for the purposes of course registration**

- Only retained for the purpose of course participation

### **Information from Staff**

Information obtained will be disposed of in accordance with CITB NI's disposal policy and schedule:

- Employee information will be retained for as long as they remain in employment.
- Leaver's information will be held for 7 years. After leaving employment, NILGOSC will administer pension details independently from CITB NI. References to new prospective employers can only be supplied up to 7 years after leaving.
- Financial information will be held for 7 years.
- Health records will be retained for 40 years.
- CCTV images will be over written after 2 weeks, unless required to be copied for the detection or prevention of a crime.

Information will be securely disposed of after that period of time.

### **Automated decision making or profiling**

- CITB NI does not use automated decision making in connection with the Employment relationship.

### **What rights do you have?**

- You have the right to obtain confirmation that your data is being processed and have access to the data we process
- You are entitled to have personal data rectified if inaccurate or incomplete
- You have a right to have personal data erased and to prevent process, in certain specific circumstances
- You have the right to 'block' or suppress processing of personal data unless it is required under legal or legislative obligation to process such data
- You have the right to data portability, in certain specific circumstances
- You have the right to object to the processing except where CITB NI has a legal or legislative obligation to process such data (including tasks carried out to comply with its legislative obligations).

### **How do I exercise my rights?**

**If you are unhappy with how any aspect of this privacy notice, or how your personal information is being processed, please contact CITB NI Data Protection Officer at:**

***Protection Officer at:***

Data Protection Officer  
CITB NI  
Nutts Corner Training Centre  
17 Dundrod Rd  
Crumlin  
BT29 4SR

Email; [info@citbni.org.uk](mailto:info@citbni.org.uk)  
Tel 028 9082 4209

**If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):**

**Information  
Commissioner's Office**  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)  
Tel: 0303 123 1113  
<https://ico.org.uk/global/contact-us/>