

## Privacy Notice – Report and Support

Ayrshire College (the College) is providing you with this information to comply with data protection law to ensure that you are fully informed and that we are transparent in how we collect and use your personal data.

Your privacy and trust are very important to us and this Privacy Notice provides essential information about how the College handles your personal data (information) and the rights you have in relation to how we use your data. The College is committed to complying with all applicable Data Protection legislation.

## Who are we?

Ayrshire College is the ‘Controller’ and is responsible for looking after the personal data that you provide.

Registered office – Ayr Campus  
Dam Park, Ayr  
KA8 0EU

For any queries or concerns about how your personal data is being processed you can contact the Data Protection Officer (DPO) at [dataprotection@ayrshire.ac.uk](mailto:dataprotection@ayrshire.ac.uk)

## This privacy notice relates to the following process:

This privacy notice is to provide you with information about how your personal data is used when you engage with the Report + Support platform.

## Purpose for processing – why do we collect information about you?

If you use Report + Support to report an incident experienced or witnessed by you at Ayrshire College in relation to, for example, hate crime, racism, and gender-based violence, the College may collect personal data about you.

The primary purpose of Report + Support is to enable the College’s students and staff to access support.

You have two options on how you can submit a report – a named report with your contact details or an anonymous report. In a named report, the College is in a better position to respond to the incident and offer you support. In an anonymous report, where you have chosen not to provide us with your name and contact details, the College is unable to directly support you in relation to the incident.

The College will use information provided in anonymous reports for analytical purposes such as monitoring trends or patterns to help inform our decision-making, for example, policy or procedure change or development.

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Kilwinning Campus  
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The College is a member of Fearless Glasgow, a multi-agency partnership of universities and colleges across the West of Scotland seeking to address gender-based violence. The partnership, which has the backing of Police Scotland and the Scottish Government, aims to help raise awareness of gender-based violence and make reporting of incidents more accessible via the Report + Support platform. The College may share anonymised data with partners in Fearless Glasgow to support its aims. Your personal data will not be shared.

**Our lawful bases (reasons) for processing your information are listed below. The data being used includes special category (sensitive) data and the additional lawful bases are also listed:**

- For reports:
  - Article 6 (1) (c) - Use is necessary for us to comply with a legal obligation - duty to investigate allegations/complaints under The Scottish Public Services Ombudsman Act 2002 (SPSO Act 2002).
  - Article 9 (2) (g) – Substantial Public Interest using the following conditions in Data Protection Act 2018 (DPA 2018) Schedule 1 Pt2:
    - s6 Statutory, etc & Govt purposes, SPSO Act 2002
    - s8 Equality of Opportunity or treatment (Trends analysis),
    - s10 Preventing or detecting unlawful acts, and
    - s18 Safeguarding of children and individuals at risk, Children & Young People (Scotland) Act 2014 part 9; Adult Support & Protection (Scotland) Act 2007; Counter-Terrorism & Security Act 2015.
- For employee data:
  - Article 6 (1) (b) Use is necessary for the performance of a contract with you or to take steps, at your request, before entering into such a contract.
  - Article 9 (2) (b) Use is necessary for carrying out obligations under employment law. DPA 2018 Schedule 1, Pt1, 1 Employment (Employment Rights Act 1996).
- Processing of data by Safeguarding team – in R+S and any other location:
  - Article 6 (1) (e) - Use is necessary for the performing a task in the public interest or under official authority vested in us: Children & Young People (Scotland) Act 2014 part 9; Adult Support & Protection (Scotland) Act 2007; Counter-Terrorism & Security Act 2015.
  - Article 9 (2) (g) – Substantial Public Interest using the following conditions in Data Protection Act 2018 (DPA 2018) Schedule 1 Pt2:
    - s6 Statutory, etc & Govt purposes, Children & Young People (Scotland) Act 2014 part 9; Adult Support & Protection (Scotland) Act 2007; Counter-Terrorism & Security Act 2015.
    - s18 Safeguarding of children and of individuals at risk, s6 Statutory, etc & Govt purposes, Children & Young People (Scotland) Act 2014 part 9; Adult Support & Protection (Scotland) Act 2007; Counter-Terrorism & Security Act 2015.

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- Sharing of safeguarding data – internally (support for student) and with 3rd parties (Police Scotland, NHS, etc):
  - Article 6 (1) (d) - processing is necessary in order to protect the vital interests of the data subject or of another natural person.
  - Article 6 (1) (e) - Use is necessary for the performing a task in the public interest or under official authority vested in us: Children & Young People (Scotland) Act 2014 part 9; Adult Support & Protection (Scotland) Act 2007; Counter-Terrorism & Security Act 2015.
  - Article 9 (2) (g) – Substantial Public Interest using the following conditions in Data Protection Act 2018 (DPA 2018) Schedule 1 Pt2:
    - s6 Statutory, etc & Govt purposes, Children & Young People (Scotland) Act 2014 part 9; Adult Support & Protection (Scotland) Act 2007; Counter-Terrorism & Security Act 2015.
    - s18 Safeguarding of children and of individuals at risk, s6 Statutory, etc & Govt purposes, Children & Young People (Scotland) Act 2014 part 9; Adult Support & Protection (Scotland) Act 2007; Counter-Terrorism & Security Act 2015
- Processing of protected characteristics for equalities monitoring:
  - Article 9 (2) (g) - use is necessary for reasons of substantial public interest, Equality Act 2010.

## What information do we collect about you?

The only information we collect about you, is the information you have chosen to share with us when you submit a report via Report + Support.

In a named report, you have chosen to provide us with your name (first name and surname), contact details (this could be your telephone number for example) and student or staff number where relevant. In an anonymous report, you have chosen not to provide us with any of the above information.

In both a named report and anonymous report, you will be asked to provide the following:

- Your status (student or member of staff)
- If you experienced or witnessed the incident
- The College campus where you study or work
- Course title or work department
- The nature of the incident (e.g. hate crime)
- The option to provide further information about the nature of incident (e.g., date and time and any other relevant information).

We will also process the names and other details of any third parties who are involved in the issues reported. Information relating to an individual's criminal convictions or past offences (including alleged offences) must not be included in any report. If it is included, then we will delete this information before the report is progressed.

Where you name a member of staff, student or third party within the report then this information may be used to start one of our formal processes if you choose to do so, or for the College to take action if we have safeguarding concerns. You do not have to provide information that will identify others involved in the incident if you do not want to.

In both a named report and anonymous report, you will be asked to provide the following special category data:

- Protected characteristics information (e.g. age, disability or long-term health condition, ethnicity, gender, religion or belief, and sexual orientation)

In providing this information, you enable the College to monitor any trends or patterns in relation to these characteristics. It is your choice to provide this information to us; a 'prefer not to say' option is available.

## How do we collect it?

Personal data is collected directly from you when you voluntarily enter information into the Report + Support platform.

## If you were to withhold the information we require for this process, the consequences would be:

Use of Report + Support is entirely voluntary. However, when you submit a report, the information you provide may enable us to better support you and others in the College. The information that you provide, both in a named report and anonymous report, is therefore valuable to us in terms of what we can offer you and our future decision-making.

You do not have to provide protected characteristics information.

## Who do we share your information with?

The personal data you provide will be treated confidentially. The College does not share your personal data without your consent other than in the circumstances noted below:

- If your physical or emotional wellbeing is at risk
- If we believe you, or another person are in danger of serious harm

In these circumstances, the College may share your personal data with Police Scotland, the NHS and other emergency services.

The Report + Support platform is hosted by a company called Culture Shift. Culture Shift may have limited access to the information on the platform as part of their provision of services. However, this will only be where the College has granted access to Culture Shift and where they are acting on our instructions.

The College may disclose personal data where we have a legal obligation to comply with a court order.

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## Details of data transfers to any third countries or international organisations

Your personal data will not be shared outside of the European Economic Area.

## How do we look after your information and how long do we keep it for?

Personal data is stored on the Report + Support platform and where relevant, securely held on college equipment in line with the College's Information Security and Data Protection Policies.

We will take all reasonable steps to prevent the loss, misuse, or alteration of information you give us. Your personal information will be stored securely and will only be accessed by authorised agents, contractors and other organisations 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 data protection 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.

Only a limited number of college staff, relevant to their role, have access to reports submitted through the Report + Support platform.

All reports will be held securely on the Report + Support platform for 12 months following completion of the academic year in which the report is submitted. Then personal data is removed, and the report archived. Archived reports are held on the Report + Support platform for two years and then personal data is securely deleted.

Anonymised data will be held on a secure College drive for a period of at least three years for analytical purposes only. This does not include personal data.

Where a report submission is characterised as being a complaint, the College's Complaints Policy will be followed, and all data will be held for at least five years from the date of last action.

## Automated individual decision-making processes, including profiling.

We do not use any automated individual decision-making about you when you use the Report + Support tool.

## Your Rights:

Under data protection legislation you have certain rights in relation to how the College manages and uses your personal information:

- The right to be informed (this is the Privacy Notice)
- The right to access your personal data
- The right to rectification if the personal data we hold about you is incorrect
- The right to restrict processing of your personal data

**In addition, the following rights apply only in certain circumstances:**

- The right to withdraw consent at any time (if consent is our lawful basis for processing your data)
- The right to object to our processing of your personal data
- The right to request erasure (deletion) of your personal data
- The right to data portability
- The right not to be subject to automated decision-making including profiling.

For more information about your rights please see [www.ico.org.uk](http://www.ico.org.uk).

## Contact us

If you have any issues about this notice or the way the College has handled your personal information, please contact our Data Protection Officer in the first instance:

email: [dataprotection@ayrshire.ac.uk](mailto:dataprotection@ayrshire.ac.uk)

Telephone: 0300 303 0303 or write to:

Data Protection Officer

Ayrshire College, Kilmarnock Campus

Hill Street

Kilmarnock

KA1 3HY

## Complaints to UK Information Commissioner's Office (ICO)

If you are dissatisfied with the response from the College you have the right to lodge a complaint with the Information Commissioner's Office about our handling of your data:

You can do this online: [Make a complaint | ICO](#)

Telephone: 0303 123 1113 or write to:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

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