

# PRIVACY NOTICE

## BACKGROUND:

Quality and Qualifications Ireland understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all of our service users and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

### 1. Information About us

Quality and Qualifications Ireland (“QQI”) is an independent State agency responsible for promoting quality and accountability in education and training services in Ireland.

Registered address: 26/27 Denzille Lane, Dublin 2, D02 P266, Ireland

Data Protection Officer: Cliona Curley.

Email address: DPO@qqi.ie

### 2. What Does This Notice Cover?

This Privacy Information explains how we use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

### 3. What Is Personal Data?

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the “GDPR”) and the Data Protection Act 2018 (collectively, “the Data Protection Legislation”) as ‘any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier’.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

The personal data that we use is set out in Part 5, below.

### 4. What Are My Rights?

Under the Data Protection Legislation, you have the following rights, which we will always work to uphold:

- a) The right to be **informed** about our collection and use of your personal data. This Privacy Notice should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in Part 11.
- b) The right to **access** the personal data we hold about you. Part 10 will tell you how to do this.
- c) The right to have your personal data **rectified** if any of your personal data held by us is inaccurate or incomplete. Please contact us using the details in Part 11 to find out more.
- d) The right to be **forgotten**, i.e. the right to ask us to delete or otherwise dispose of any of your personal data that we hold although certain restrictions apply. Please contact us using the details in Part 11 to find out more.
- e) The right to **restrict** (i.e. prevent) the processing of your personal data.
- f) The right to **object** to us using your personal data for a particular purpose or purposes.
- g) The right to *withdraw consent*. This means that, if we are relying on your consent as the legal basis for using your personal data, you are free to withdraw that consent at any time.
- h) The right to data **portability**. This means that, if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.
- i) Rights relating to automated decision-making and profiling. We do not use your personal data in this way.

For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in Part 11.

It is important that your personal data is kept accurate and up-to-date. If any of the personal data we hold about you changes, please keep us informed as long as we have that data.

Further information about your rights can also be obtained from the Data Protection Commission.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Data Protection Commission Office.

## 5. What Personal Data Do You Collect and How?

Depending upon your use of our Site, we may collect and hold some or all of the personal data set out in the table below, using the methods also set out in the table.

Data Collected	How we Collect the Data
Identity Information including insert data collected, e.g. name, title, date of birth, gender	You provide us with this information when you interact with us online or directly

Contact information including, e.g. address, email address, telephone number.	You provide us with this information when you interact with us online or directly
Programme & Award Information including programme codes, name and results or grades	You provide us with this information when you interact with us online or directly
Education Details / Professional Qualifications	You provide us with this information when you interact with us online or directly
Business information including, e.g. business name, job title, profession.	You provide us with this information when you interact with us online or directly
Payment information including e.g. card details, bank account numbers.	You provide us with this information when you interact with us online or directly

## 6. How Do You Use My Personal Data?

Under the Data Protection Legislation, we must always have a lawful basis for using personal data. The following table describes how we use your personal data, and our lawful bases for doing so:

No.	What we do	Our purpose for collecting the data	Our Lawful Basis
I.	Making Awards	We collect contact and educational data, so we can make awards.	Section 9(f) and Section 50 of the Qualifications and Quality Assurance (Education and Training) Act 2012
II.	National Academic Recognition Information Centre (NARIC)	To provide recognition advice for learners	Section 9(m) of the Qualifications and Quality Assurance (Education and Training) Act 2012.
III.	Qualifax	To provide a tool for learners to understand options in relation to careers and professions	Section 79(3) of the Qualifications and Quality Assurance (Education and Training) Act 2012
IV.	Quality Assurance	To review education and training providers	Section 42 of the Qualifications and Quality Assurance (Education and Training) Act 2012

V.	Validation	To fulfil our statutory obligation in relation to the validation of programmes	Section 9(d) and all relevant sections of the Qualifications and Quality Assurance (Education and Training) Act 2012.
VI.	Delegation of Authority to make awards	To fulfil its statutory obligation in relation to the delegation of authority	Section 9(f) and all relevant sections of the Qualifications and Quality Assurance (Education and Training) Act 2012
VII.	International Education Mark	To fulfil its statutory obligation in relation to the International Education Mark	Section 9(i) of the Qualifications and Quality Assurance (Education and Training) Act 2012
VIII.	Protection of Enrolled Learners	To fulfil its statutory obligation in relation to the protection of enrolled learners	Section 9(n) and (o) of the Qualifications and Quality Assurance (Education and Training) Act 2012
IX.	Access Transfer and Progression	To fulfil its statutory obligation in relation to access, transfer and progression of learners.	processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
X.	Accreditation and Coordination of English Language Services (ACELS)	processed for the management of the Accreditation and Coordination of English Language Services (ACELS) Scheme.	processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

We will only use your personal data for the purpose(s) for which it was originally collected unless we reasonably believe that another purpose is compatible with that or those original purpose(s) and need to use your personal data for that purpose.

If we need to use your personal data for a purpose that is unrelated to, or incompatible with, the purpose(s) for which it was originally collected, we will inform you and explain the legal basis which allows us to do so.

In some circumstances, where permitted or required by law, we may process your personal data without your knowledge or consent. This will only be done within the bounds of the Data Protection Legislation and your legal rights.

## **7. How Long Will You Keep My Personal Data?**

**8. We retain your personal data in accordance with our record retention policy. The record retention policy operates on the principle that we keep personal data for no longer than is necessary for the purpose for which we collected it, and in accordance with any requirements that are imposed on us by law**

## **8. How and Where Do You Store or Transfer My Personal Data?**

We share your data with external third parties, as detailed below in Part 9, that are based outside of the EEA. The following safeguards are applied to such transfers:

We use specific contracts with external third parties that are approved by the European Commission for the transfer of personal data to third countries. These contracts require the same levels of personal data protection that would apply under the Data Protection Legislation.

The security of your personal data is essential to us, and to protect your data, we take a number of important measures, including the following:

- limiting access to your personal data to those employees, agents, contractors, and other third parties with a legitimate need to know and ensuring that they are subject to duties of confidentiality; and
- procedures for dealing with data breaches (the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, your personal data) including notifying you and/or the Data Protection Commission's Office when we are legally required to do so.

## **9. Do You Share My Personal Data?**

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

If any of your personal data is shared with a third party, as described above, we will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, our obligations, and the third party's obligations under the law.

The following bodies are examples of whom we may be required to share your personal information with:

The Department of Education and Skills  
The Department of Justice and Equality  
The Department of Employment Affairs and Social Protection  
The Department of Public Expenditure and Reform  
The Higher Education Authority  
The Department of Foreign Affairs  
SUSI (part of the City of Dublin Education and Training Board)  
Education and Training Boards  
The Central Statistics Office  
SOLAS  
Revenue  
The Central Applications Office  
Irish Council for International Students (ICOS)  
Education in Ireland (part of Enterprise Ireland)  
Relevant providers and linked providers as defined in the Qualifications and Quality Assurance (Education and Training) Act 2012  
English Language Schools recognised for the purpose of the Accreditation and Coordination of English Language Services (ACELS) Scheme.

## **10. How Can I Access My Personal Data?**

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request”.

All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 11. To make this as easy as possible for you, a Subject Access Request Form is available for you to use. You do not have to use this form, but it is the easiest way to tell us everything we need to know to respond to your request as quickly as possible.

There is not normally any charge for a subject access request. If your request is ‘manifestly unfounded or excessive’ (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

## 11. How Do I Contact You?

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details for the attention of the Data Protection Officer

Email address: [info@qqi.ie](mailto:info@qqi.ie)

Postal Address: Quality and Qualifications Ireland, 26/27 Denzille Lane, Dublin 2, DO2 P266, Ireland.

To exercise any of your rights under GDPR please use the form below.

DP Form 1: Subject Access Request, click [here](#)

DP Form 2: Right to Rectification, click [here](#)

DP Form 3: Right to Erasure, click [here](#)

DP Form 4: Right to Restrict Processing, click [here](#)

DP Form 5: Right to Data Portability, click [here](#)

DP Form 6: Right to Object to Processing, click [here](#)

DP Form 7: Right to Object to Automated Decision Making, including profiling, click [here](#)

DP Form 8: Right to Withdraw Consent, click [here](#)

## 12. Changes to this Privacy Notice

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be made available on our website. This Privacy Notice was last updated on July 22<sup>nd</sup> 2019.