**ACNM General Data Protection Regulation Statement**

**Using Your Personal information**

Personal information which you supply to us will be held by ACNM, an operation part-funded by the European Regional Development Fund through the Welsh Government and the participating Higher Education Institutions. ACNM is led by Swansea University in partnership with Cardiff University.

The ACNM partnership is committed to protecting the rights of registered users in line with Data Protection legislation. For the purposes of this operation, the Welsh Government is the Data Controller and ACNM the data processor. The Data Protection Officer for the Welsh Government can be contacted on Data.ProtectionOfficer@gov.wales

**What personal information do we collect?**

In addition to technical information specific to your project, we collect the following personal information from enterprises who wish to receive support or are supported by the ACNM Project:

• Name of enterprise lead contact/ technical officers/ employees involved in the project;

• Work contact details of personnel involved in the project;

• Job role/title of personnel involved in the project;

• Total monthly employment costs attributed to the project of associated personnel;

• Welsh or English as preferred language of communication of enterprise lead contact; and

• Collective anonymous equal opportunities data relating to enterprise owners/directors/senior managers including gender, ethnic origin, age group, number who consider themselves disabled and competency levels of the Welsh language.

In the event of employment creation as a direct result of the support provided to your enterprise by ACNM, the following additional personal information is requested:

• Job role/title of those employed by the enterprise as a direct result of the support received;

• Gender of first post holder for those employed by the enterprise as a direct result of the support received; and

• Salary scales of the first post holder for those employed by the enterprise as a direct result of the support received.

In certain circumstances i.e. if the enterprise seeking support is a micro company, the following information will also be collected about the Managing Director (MD) of the micro company or the person who will become the MD once a company is formed:

• Qualifications/ technical background;

• Referees;

• Details of any directorships that have been annulled; and

• Confirmation of any declarations of bankruptcy or companies declared insolvent whilst under your directorship.

**Why do we collect personal information and how do we use it?**

We collect your personal information for the following reasons:

1. To evaluate eligibility for ACNM support according to funding compliance requirements and the operation’s project approval process, thus ensuring effective value for money and selection of those enterprises with potential to achieve maximum impact upon the Welsh economy;

2. To monitor and evaluate projects at operation management and governance boards and as part of the operation’s external evaluation to assess the effectiveness of working practices, delivery of projects and project outputs and impacts in line with funding requirements;

3. To report to the Welsh Government and the European Commission for regulatory operation monitoring, claim and audit purposes; and

4. To statistically analyse the commercial relationships existing across Swansea University on a periodical basis.

**What is our legal basis for processing?**

Where processing of personal data is necessary to provide you with a product or service, the processing is likely to be necessary for the performance of a contract or to take steps at the request of the individual prior to entering into a contract.

Under ACNM we are required to gather some information about your company to fulfil our legal obligation to our funders. The lawful basis for controlling or processing data under the European Regional Development Fund (ERDF) is under Article 6 (1) (e) of GDPR where: “processing is necessary for the performance of a task carried out in the exercise of official authority vested in the controller”.

The only special category data we will collect on behalf of the ERDF is collective equal opportunities data relating to ethnic origin. Where this becomes identifiable due to low numbers in some cases, the legal basis is under Article 9 of GDPR: “processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.”

**Who receives your personal information?**

Information is made available to personnel requiring access in limited circumstances for the reasons outlined above. These include:

* Operation and University technical and administrative staff,

• The operation governance and management boards,

• External advisors and consultants directly engaged with the operation, including the independent external ACNM evaluators CIOTEK,

• The Welsh European Funding Office and the European Commission.

* Welsh Government

**How your personal information is stored?**

Data Protection legislation requires us to keep your information secure. This means that your confidentiality will be respected, and all appropriate measures will be taken to prevent unauthorised access and disclosure. Only members of staff who need access to relevant parts or all of your information will be authorised to do so. Information about you in electronic form will be subject to password and other security restrictions, while paper files will be stored in secure areas with controlled access.

The data will be held for the duration of the ACNM operation and for a reasonable period upon its conclusion to comply with regulatory audit and document retention requirements.

**What are your rights?**

You have a right to access your personal information, to object to the processing of your personal information, to rectify, to erase, to restrict and to port your personal information (please note however that this is likely to affect our ability to provide support to your enterprise due to the operation’s contractual funding constraints). If you have provided consent to ACNM to process any of your data, then you also have a right to withdraw that consent. Please visit the Data Protection webpages for the ACNM partner institution leading your project for further information in relation to your rights.

Any requests or objections should be made in writing to the Data Protection Officer Data Protection Officer for the Welsh Government, who can be contacted on Data.ProtectionOfficer@gov.wales

If you are unhappy with the way in which your personal information has been processed, you may in the first instance contact the Data Protection Officer using the contact details above. If you remain dissatisfied, then you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: - Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF www.ico.org.uk

**Consequences of not providing your information**

The consequences of not providing your information when necessary for the performance of a contract or to take steps at the request of the individual prior to entering into a contract, would mean that ACNM will not be able to offer you some and in some cases any of its products and services without it

**Your responsibilities**

Please advise of any changes to your name, address, contact details as soon as practically possible so that we can amend our records accordingly.