



## **Privacy Notice in relation to Public Procurement Exercises**

### **Introduction**

This privacy notice, introduces your privacy rights and how the University gathers, shares and makes use of information that you provided when responding to a public procurement exercise.

### **Who we are and how you can contact us**

University of St Andrews, College Gate, North Street, St Andrews, KY16 9AJ, Fife, Scotland, UK ("the University"). The University is a charity registered in Scotland, No SC013532. You can get in touch with the University Data Protection Officer by email [dataprot@st-andrews.ac.uk](mailto:dataprot@st-andrews.ac.uk) or by post by writing to Mr Christopher Milne, Head of Information Assurance and Governance, University of St Andrews, Butts Wynd, North Street, St Andrews, KY16 9AJ.

### **How we gather personal data**

Personal details, typically those surrounding workplace skills and experiences, as set out in a Curriculum Vitae ("CV") will have been passed to the University, by an employer, when submitting a tender, in response to a public procurement exercise. Those details are requested where, as part of a public procurement exercise, the University has determined that an assessment of the skills and competencies of the workforce, of a potential supplier are required.

Similar information may also be requested / included in Case Studies and Reference Projects, details of which may also form part of tender submissions as appropriate the requirement, and also, but not limited to, evidence of training and other qualifications.

### **How we use your personal data**

An appraisal panel is convened by the University to consider tender submissions, and will score/rate tender submissions against set competencies/criteria. This may include an assessment of the skills and competencies of key personnel from a party seeking be awarded a contract. The panel may also include other agents appointed by the University.



## Procurement

### **The legal basis for collecting, using and retaining your personal data**

The legal basis for the collection and assessment of personal data provided in CVs that form part of a tender submission is with a legal obligation to which the controller [University] is subject i.e. The Public Contracts (Scotland) Regulations 2015 ("the Regulations").

### **Sharing and transferring your personal data**

Your personal data will be shared within the University as appropriate with individuals who are directly involved in the tendering process. Records of tender submissions may be held by a third party data processor, engaged by the University under contract.

### **Keeping your personal data**

The University is required to retain copies of all concluded contracts, which include the [awarded] tender submission, for at least the duration of the contract. Personal data held in unsuccessful tender submissions will be destroyed normally after the period when a public authority can be required to justify the decisions taken at all stages of the procurement procedure. This is presently at least 3 years, from the date of the award of a contract, as per the Regulations, Chapter 4, section 83, paragraph (9).

### **Your privacy rights**

You have the right to object to how the University makes use of your personal data. You also have the right to access, correct, sometimes delete and restrict the personal information we use. In addition, you have a right to complain to us and to the data protection regulator. The University Data Protection Officer can provide more details. As the University relies upon legal obligation to retain personal data, the right of erasure is unlikely to be available.

### **The right to lodge a complaint with a supervisory authority**

If you believe that the University has not made use of your personal data, in line with the requirements of the law, you have the right to raise this with the regulator i.e. the UK Information Commissioner Office's ("the ICO").

Details on how to contact the ICO are available online, at:

- <https://ico.org.uk/global/contact-us/>



## Procurement

### **Whether there is a statutory or contractual requirement to provide personal data and the consequence where no personal data are provided**

In the context of public procurement, the Regulations provide a framework for seeking that certain information are provided to the University in response to a public procurement exercise. Failure to provide complete and accurate information could lead to a contract not being awarded, or withdrawn, following award.

### **Availability**

This Privacy Notice will be also published on the University website.

Should a copy of this Privacy Notice be required in another form, including orally i.e. an audio recording, please contact [dataprot@st-andrews.ac.uk](mailto:dataprot@st-andrews.ac.uk).