



Education

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www.argyll-bute.gov.uk
Our Ref:
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Dear Parents

Data Protection Act 2018 and General Data Protection Regulations (GDPR)

You will be aware that in May 2018 data protection law underwent a massive change to modernise law and ensure they are effective for the future. The new law is called the Data Protection Act 2018 and sits alongside the General Data Protection Regulations (GDPR). GDPR governs how personal data is processed.

As an Education department we need personal data for you and your child in order to provide Education Services. GDPR requires us to tell individuals what data we process, why we process it and whether we share that information with anyone else. This information is provided in the form of a Privacy Notice. We have attached the privacy notice for General Education as this covers many aspects of Education, however there are others that also may be pertinent to you and/or your child. You will also notice that reference is made to privacy notices on forms you fill out for the school. Education privacy notices can be found on the Council website at <https://www.argyll-bute.gov.uk/data-protection#privacy>.

You will also find more information about data protection on the council website and at the website of Information Commissioner Office (ICO) <https://ico.org.uk/>.

Please contact your Head Teacher if you have any questions about how your personal data and that of your child is processed within school.

Yours sincerely

ANNE PATERSON
Head of Education:
Lifelong Learning and Support/
Chief Education Officer

LOUISE CONNOR
Head of Education:
Learning and Teaching



Education General Privacy Notice

Your Personal Data

What information do we need?

Argyll and Bute Council will act as the 'Data Controller' in regard to the personal data you provide to us. The Data Protection Officer can be contacted at the Council's headquarters is at Kilmory, Lochgilphead PA31 8RT. The email address is: data.protection@argyll-bute.gov.uk

Argyll and Bute Council require information to provide you with Education services. This information is detailed in the registration form for nursery or school. For the purposes of this specific service, the personal data we require includes *special category* information about you (also known as '*sensitive personal data*' which may include race / ethnic origin, religious beliefs or health details.

When we are using this more sensitive type of personal information, our legal basis is usually that we require the information for reasons of substantial public interest for aims that are proportionate and which contain appropriate safeguarding measures.

There will be times where we also receive information about you from other organisations, such as a previous school, the previous local authority where that school or ELC setting was based, NHS Lothian, Police Scotland, Social work, Additional Support Services, and sometimes other organisations or groups connected to your education.

Why we need this information?

Your information is being collected to help deliver an effective educational programme and to support your learning, monitor and report on your progress, provide appropriate pastoral care; and assess the quality of our services.

If you do not provide this information then we will be unable to provide those services to you. We will not collect any personal data from you that aren't needed for delivery of those services.

The legal bases for collecting your information in these circumstances are:

Legal Obligation:

- *Education (Scotland) Act 1980*
- *Education (Additional Support for Learning) (Scotland) Act 2009*
- *Equality Act 2010*
- *Scottish Schools (Parental Involvement) Act 2006*
- *Standards in Scotland's Schools etc. Act 2000*
- *Children and Young People (Scotland) Act 2014*

What we will do with your information?

The majority of the information we collect from you will be processed by staff in the United Kingdom. There may be times when data is processed outwith the European Union and although they may not be subject to the same data protection laws as in the UK, we will take steps to make sure they provide an adequate level of protection in accordance with UK data protection laws.

Your information will be shared with the recipients or categories of recipients as detailed below:

What we will do with your information	
Who we will share with	Reason for Sharing

SEEMiS (Education department's Management Information System)	For processing your data
Parents/Carers	To involve them in your education
School Transport	If you apply for it
NHS including Allied Health Professionals	To work collaboratively in ensuring your continued health and wellbeing
Scottish Qualification Authority (SQA)	For the provision of national qualifications
School/ELC Setting and central Catering staff and CRB Cunninghams (school meal account provisioning partner)	To set up a cashless catering school meal account for you, including special diet information where necessary
Scottish Government	For the reasons of census, assessment and any other requests as detailed by them. To view the privacy notice for Scottish Government please visit http://www.gov.scot/Topics/Statistics/ScotXed/SchoolEducation/ESPrivacyNotices
Skills Development Scotland (SDS)	To support you in achieving a positive destination after completing your education and in order to ensure we support you in all your transitions and do all that we can to help your future be a success
Other schools, ELC Settings and Councils	To pass on information about your education when moving from one establishment to another in order to ensure we support you in all your transitions and do all that we can to help your future be a success. We have a legal requirement to do this.
Dunbartonshire and Argyll and Bute Valuation Joint Board (DAB/VJB)	To assist in compiling the Electoral Register
Groupcall	To enable establishments to communicate with people who have been noted as a pupil contact and for inclusion in the Parents' Evening booking system for those schools that use it
Glow	To allow access to Education resources on a secure platform
Argyll and Bute ICT department	To enable email accounts to be created for secondary pupils
Social Work Services, Scottish Children's Reporter Administration (SCRA), Police and Health	When there is a child protection concern
Multi-Agency Public Protection Arrangements partnerships	In order to comply with the Community Justice (Scotland) Act 2016 and Section 10 of the Management of Offenders etc. (Scotland) Act 2005
Social Work Services, Police and Health	Where there is a wellbeing concern it could be shared with a single agency or shared collaboratively
Education Psychological Service	In order to assess potential input regarding Additional Support Needs
Visually Impaired and Hearing Impaired Services	In order to assess potential input regarding Additional Support Needs
Church affiliated to denominational schools	To provide religious input for those students that request it within a denominational school setting
School/ELC Setting Photography companies	To allow child/young person identification photos to be taken and to allow parents the chance to purchase photos
Outdoor trips/excursions/residential	To enable the trip host/organiser to fulfil their duty of care

Work Placement and Partner employers	To enable the employer to fulfil their duty of care where a young person is on a work placement
Education Scotland, HMIE and Care Inspectorate	To comply with legislation on inspecting educational establishments
Health & Safety Executive and relevant internal departments including Special Projects Team and Governance & Law	To meet legislation for recording accidents, incidents and assessing risk
ASN Team	To assess need and allocate resources
Central Education Staff	To support pupils, parents and schools /ELC Settings
Hostel Staff	For pupils who stay in Dunoon and Oban hostel
Chief Executive department - Finance	For children and young people who are educated in hospital, in residential schools or have additional support needs
Emergency contacts and overnight accommodation contacts	in cases of emergency or where you are required to be accommodated overnight
School to School Coordinators, SEEMiS and Scottish Government	When necessary to ensure children are not missing from Education
University of Highlands and Islands and other training providers	To provide courses/training/education in addition to those provided by the school
Students of University of Highlands and Islands, Dundee University and other training providers	To allow staff who are not Council employees to gain work experience in a school setting such as Student Inductees, Student Teachers on work placements and Trainee Education Psychologists
LiveArgyll	To help promote and develop their programme of activities
Parent Teacher Councils	For use in organising school based events and raising funds

Your information may be shared with other companies to help schools meet your educational needs and to provide education as defined in the Education (Scotland) Act 1980 and other associated legislation. We will take steps to make sure these companies provide an adequate level of protection in accordance with UK data protection laws. Specific information of the companies involved can be obtained from your school.

In addition to the above, Argyll and Bute Education department has a legal duty to promote, support and safeguard the wellbeing of children in our care. Wellbeing concerns can cover a range of issues depending on the needs of the child.

Staff are trained to identify when children and families can be supported and records are kept when it is thought that a child could benefit from help available in the school/ELC setting, community or another professional. You can expect that we will tell you if we are concerned about your wellbeing, and talk to you about what supports might help in the circumstances. Supports are optional and you will not be required to take them up.

If it would be helpful to share information with someone else, we will discuss this with you and seek your consent before we share it so that you know what is happening and why. The only time we will not seek consent to share information with another organisation is if we believe that a child may be at risk of harm. In these situations, we have a duty to protect children, which means we do not need consent. On these occasions, we will normally tell you that information is being shared, with whom, and why – unless we believe that doing so may put you at risk of harm.

We will also generally comply with requests for, and share, specific information from other regulatory and law enforcement bodies where this is necessary and appropriate.

You should also be aware that your data will be stored on servers located within the United Kingdom and some data will be processed outside the European Union. Your data will also be held as paper files which are stored securely. Correspondence is kept in email format for the current year plus 3 archived years. We will take all reasonable steps to ensure that your data is kept securely and more information on how we do this is provided on the Council website (www.argyll-bute.gov.uk) or can be provided in paper format on request to your School Support 01369 704000.

If you have provided anyone else's details on this form please make sure that you have told them that you have given their information to Argyll and Bute Council. We will only use this information to contact them in the event of an emergency or share their data in relation to legal requirements as detailed above.

How long will we keep your information?

We will usually keep your information for 5 years following your leaving date, after this period it will be destroyed under secure arrangements if it is no longer required for the lawful purpose(s) for which it was obtained. For children and young people who are currently or have been Looked After and Accommodated by a local authority, files will be kept indefinitely in line with the requirements and recommendations of the Scottish Child Abuse Inquiry (SCAI). More information on our retention schedule is provided on the Council website (www.argyll-bute.gov.uk) or can be provided in paper format on request to School Support 01369 704000.

We will provide details of the current information held for contact and personal information on an annual basis. If someone is no longer a contact we will remove their details from the SEEMiS Management Information system.

Automated Decision Making

Schools will not use automatic decision making or profiling but some may use assessment tools which will aid their decision making processes to provide support that may be required in your education.

Your Rights

When you provide information to the Council, you will have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent
- to lodge a complaint with the Information Commissioner's Office
- to request access to your personal data
- to data portability, where the Legal basis specified above is i) consent or ii) performance of a contract
- to request rectification or erasure of your personal data, as so far as the legislation permits

If you would like this document in an alternative format, such as a hard copy, please contact School Support on 01369 704000.