

Privacy statement Dumfries and Galloway Council

Education and Learning Directorate

The Data Controller who are processing your personal data is Dumfries and Galloway Council.

The specific aspects of how we process your personal data within the Education and Learning Directorate are identified in this privacy statement.

Who are we?

Dumfries and Galloway Council is a local authority established under the Local Government etc. (Scotland) Act 1994. Our head office is located at Dumfries and Galloway Council Headquarters, English Street, Dumfries, DG1 2DD. You can contact our Data Protection Officer by post at this address or by email at: dataprotection@dumgal.gov.uk, and by telephone on 0303 333 3000.

Education and Learning Directorate. Why do we need your personal information and what will we do with it?

Dumfries and Galloway Council provides a range of Education Services because the law says that we must do this. The services we provide are in the following areas:

- Management of nursery, primary, secondary and special education schools
- Services to support access and inclusion in education
- Managing admissions to schools, including out of catchment requests and appeals
- Providing Arts, Creative Learning and Lifelong learning opportunities
- Managing Education Welfare services to provide support and advice
- Overseeing curriculum development, management of schools and teaching

To deliver these Education Services we need to collect, store, use, share and dispose of personal information. This is known as data processing. When we collect personal data, we must tell you why we need it, and what we will do with it. This information is called a privacy notice

The personal information we hold about you about the provision of Education Services is collected in a variety of ways. We will collect information from you in paper and online forms, by telephone, email, CCTV and in conversation with a member of our staff. We will also collect information from our Early Learning and Childcare centres (ELC) and Schools registration processes. We only collect what we need to provide Education and Learning. We keep it secure, and it will only be accessed by those that have a legitimate reason. We may also collect information from one or more of our partners agencies such as NHS Dumfries and Galloway, Police Scotland and Voluntary Sector organisations working with the Council.

Processing personal information about the provision of Education Services allows us to provide services and fulfil our legal responsibilities, such as managing schools, providing inclusion and accessibility support, managing admissions and enrolments and providing a range of creative, arts and lifelong learning opportunities.

On occasions, we may keep your personal information within the Council's archives for evidential and historical reasons, or use it for research and statistical purposes. It will sometimes be necessary to process personal information to protect individuals from harm or injury, to prevent and detect crime, to comply with legal orders, and to provide information in accordance with a person's rights. The Council will only process your personal information when it is lawful to do so.

Education and Learning Directorate: What are your responsibilities?

It is important to read this privacy notice as this contains important information about how we use you and your child/young person's personal data and your rights. The Council, Education and Learning Directorate also need to ensure you and your child's personal data remains accurate. To help us please keep your nursery and school up-to-date with any changes. For example, if you have moved to a new house and not informed the school, this may result in your personal data being sent to an incorrect address.

What is our legal basis for using your information?

The precise legal basis for us using your personal information will vary depending on which service we are providing to you. However, in most cases this will be because it is necessary for us to use your personal information to perform a task carried out in the public interest by us or it is necessary to protect someone's life. If we are using your personal information on a different basis to this, this will be explained in the specific privacy statements relating to those functions.

If we are using your information because:

- it is required for us to have a contract with you, or
- You have consented to give it

Then if you do not provide us with the information we have asked for, we will not be able to provide that service to you. If we require your permission to process your personal information, we will ask you. If you wish to withdraw your consent, you can do so at any time.

Education and Learning Directorate: What we collect from you?

We process personal data and special category data. Personal data is information which can be used to identify you such as your

- Name
- address
- date of birth

Special category data is information that reveals

- racial or ethnic origin
- data concerning health needs and special education needs
- religious or philosophical beliefs

Data about the pupils' family will include, names, addresses, email, phone number, emergency contact details and family relationship (mother/father etc)

- Data about when and where the pupil goes after they leave Early Learning and Childcare Centre (ELC)Centre /School. This includes information about their next setting, career paths or intended destinations
- Data held will also include personal learning plans, pupil progress, assessments and exam results. It will also include records of attendance, absence and any exclusions.

Education and Learning Directorate: How we manage and care for pupil data.

- If a child/young person moves ELC Centre /School, we have a legal obligation to pass on information to their new ELC Centre/School/education authority.
- Data will also be shared with School Mainstream Transport Team/Contractors and Enterprising DG, if your child is accessing school transport/school meals.
- We share your contact information with third party organisations such as Skills Development Scotland when there is a clear public task to do so
- We share your data with third parties who process it on our behalf, including the operator of our Education Management Information System, SEEMIS our schools' intranet GLOW, and our text messaging provider Groupcall.
- The Council take the security of your data seriously and access to our Nursery Application Management System (NAMS) is part of SEEMiS.
- SEEMiS is restricted to approved staff and by username and password only.
- To prevent unauthorised disclosure, hard copies of data are also stored securely at your child's nursery or school.
- Law requires us to pass certain information about our pupils to the Scottish Government and the Council. This data is for statistical purposes – individual pupil names are not identified.

Who do we share your information with?

To provide you with good quality services and to meet our legal obligations, we will sometimes share your personal information between teams within the Council, and with external partners and agencies involved in delivering services on our behalf. The Council may also provide personal information to third parties, but only where it is necessary, either to comply with the law or where permitted under data protection legislation.

Organisations who we may share your information with include

- NHS Dumfries and Galloway
- Police Scotland

- Scottish Children Reporters Administration (SCRA)
- Voluntary organisations and private sector service providers.

We will only share your information with partners or suppliers who have sufficient measures and procedures in place to protect your information and can meet their legal obligations under data protection legislation. These requirements will be set out in contracts or information sharing agreements. We will not share your information for marketing purposes, unless you have specifically given us with permission to do so.

Almost all Council data is held within the UK. Any overseas data transfers require additional internal approvals. If we need to transfer your personal information overseas in relation to an activity, this will be explained in a specific privacy statement relating to that function along with a description of the protective measures we have in place to keep it secure.

Education and Learning Directorate: Sharing personal data to support Wellbeing

If it would be helpful to share information about a child or young person 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 the child at risk of harm.

How long do we keep your information for?

We only keep your personal information for the minimum of time necessary. Sometimes this time is set out in the law, but in most cases, it is based on our business need. We maintain a records retention schedule which sets out how long we hold different types of information for.

Education and Learning Directorate: How can I access the information you hold about my family?

For ELC Centre you will undertake a registration form process – this data can be accessed from your ELC centre or via Education Support Services (SEEMiS). For Each year, your child/young person's School will send home a copy of the personal data we hold about your child/young person as part of our annual update process. If at any other time you would like to review information held as part of your child's educational record, you can do so as part of the Access to Educational Record legislation. In the first instance you should contact the Headteacher of your school to make this request. Further links and details are included as part of this privacy notice.

What are your rights under data protection law?

Access to information - you have the right to request a copy of the personal information that we hold about you.

Correcting your information - we want to make sure that your personal information is accurate, complete and up to date. Therefore, you may ask us to correct any personal information about you that you believe does not meet these standards.

Deleting your information - you have the right to ask us to delete personal information about you where:

1. You think that we no longer need to hold the information
2. We are using that information with your consent and that you have withdrawn your consent
3. how we may use your information' below
4. Our use of your personal information is contrary to law or our other legal obligations

Objecting to how we may use your information - you have the right at any time to tell us to stop using your personal information for direct marketing purposes.

Restricting how we may use your information - in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of information. This right might also apply if we no longer have a basis for using your personal information- but you don't want us to delete the data. Where this right is realistically applied will mean that we may only use relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Withdrawing consent to use your information - where we use personal information with your consent, you may withdraw that consent at any time and we will stop using your personal information for that purpose(s) for which consent was given.

Please contact the Data Protection Officer if you wish to carry out any of these rights.

We may use automated decision-making processes but very little use of profiling. Where these techniques are used, this will be explained in the specific privacy statements relating to those functions, together with a description of the reason involved in any automated-decision making.

We aim to directly resolve all complaints about how we handle personal information, you can contact the Council's Data Protection Officer by email dataprotection@dumgal.gov.uk or by telephone 0303 333 3000.

You also have the right to lodge a complaint about data protection matters with the Information Commissioner's Office, who can be contacted at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 0303 123 1113 (local rate) or 01625 545 745

Visit their website for more information- <https://ico.org.uk/concerns>

If your complaint is not about a data protection matter you can find details on how to make a complaint at www.dumgal.gov.uk/complaints or email: commentsandcomplaints@dumgal.gov.uk

Updated January 2022
Education Support Services