

Privacy statement: Personal Plans for Children with Additional Support Needs – Early Learning and Childcare

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

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.

Why do we need your personal information and what will we do with it?

We need you to give us you and your child's personal information to allow us to assess your application for a place for your child in an Early Learning and Childcare (ELC) setting within Dumfries and Galloway. We will use your information to verify your identity where required, contact you by post, email, or telephone and to maintain our records.

What is our legal basis for using your information?

We provide these services to you as part of our statutory function as your local authority. Processing your personal information is necessary for the performance of a task carried out in the public interest by the Council. We must prepare Personal Plans for all children that take their care and welfare needs into account. A Personal Plan needs to be in place within 28 days of starting at the service. Child health visitors / colleagues in the National Health Service (NHS) provide advice to ensure your child's needs are well planned for.

The minimum data required will be:

Name of the Child

Date of Birth

Early Learning and Childcare setting

Who do we share your information with?

Where appropriate, we will share your information with NHS colleagues. This is so that, where appropriate, in the interest of supporting your child's wellbeing, the Health Visitor can share relevant information with the ELC and attend Personal Plan meetings. Once your child has been allocated a place in ELC we will share this information with NHS so that your child's Health Visitor (as named person) knows where your child will be attending ELC. This is to ensure that we are working better together.

Your information is also analysed internally to help us improve our service. This data sharing is in accordance with our Information Use and Privacy Policy and covered in our Full privacy statement on our website. It also forms part of our requirements in

line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

How long do we keep your information for?

We only keep your personal information for 3 years, thereafter it is transferred to the school as part of your Primary School Enrolment.

Information you have given us about other people.

If you have provided anyone else's details on your child's application, please make sure they you have told them that you have given their information to Dumfries and Galloway Council. We will only use this information to contact those people to support your child(ren).

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 and your child.
- 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 and your child(ren) that you believe does not meet these standards.
- Deleting your information - you have the right to ask us to delete personal information.
- About you and your child(ren) where you think that we no longer need to hold the information or for those reasons listed below.
- 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 Public Task 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.

Definition of Public Task - The lawful basis we rely on for this processing of your personal data is public task, under article 6(1)(e) of the UK GDPR. This allows us to process personal data when this is necessary to do our work as a local authority under the Education (Scotland) Act 1980, Children (Scotland) Act 1995, Children and Young People (Scotland) Act 2014, the Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011 and related legislation.

Special categories of personal data may need to also be processed for reasons of substantial public interest under section 10 (3) of the DPA 2018 (Special categories

of personal data) and 18 (Safeguarding of children and individuals at risk). We use it because we have a substantial public interest, and by virtue of the Council's statutory functions under the Children (Scotland) Act 1995, Education (Scotland) Act 1980, Children and Young People (Scotland) Act 2014 and the Children's Hearing (Scotland) Act 2011.

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

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Education, Skills and Community Wellbeing (Quality and Curriculum Team)