

## Privacy Notice – Education Department

This notice is provided for clarification on what information Education Services need in order to process information regarding pupils, parents, carers and other individuals. It is necessary for Education Services to gather, collect, store and process personal information to assist in the running and provision of an Education Service to communities throughout East Renfrewshire including primary and secondary schools, supported learning centres, and early learning centres.

### Why we need your information

Personal data is required to be collected by the Education Service in order to carry out its duties as a provider of education services under the Education (Scotland) Act 1980 and the Education (Scotland) Act 2016.

Personal data includes identifiers such as Name, Address, Date of Birth and personal characteristics such as gender and ethnic group, qualifications/training, and health or absence information. Where relevant and when applying for a school place you will be asked to provide additional information such as:

- Council Tax evidence and Council Tax Number
- Mortgage Statement or Rental Agreement with Rental Agreement End Date
- Landlord Registration Number
- Birth Certificate
- Child Benefit
- Utility Statements
- Other Catchment Evidence
- Roman Catholic Baptismal Certificate detailing date of Baptism and name of Church venue

### What is the legal basis for us to process your information?

Data Protection law sets out the lawful basis for processing personal data. In processing personal data for the purposes of delivering education services the lawful basis are:

- Contract - The processing is necessary for a contract
- Legal Obligation - The processing is necessary for Education Services to comply with the law
- Public task - the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law
- Consent - in limited circumstances, for instance relating to taking pictures for promotional purposes, Education Services may rely on an individual's consent to process their personal data. Where relying on consent you have the right to withdraw this consent at any time.

Some personal data is classified as Special Category or sensitive and this can be defined as data relating to the processing of personal data regarding racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership and the processing of genetic data, biometric data, data concerning health or data concerning a person's sex life or sexual orientation.

Education Services will have a requirement to process some types of Special Category Data and in particular

- racial or ethnic origin information for monitoring purposes
- health information for pupil assistance and absence monitoring
- Behavioural information

## **Do you have to provide your information?**

Education needs your information to allow us to carry out tasks in the public interest that is set out in law such as teaching in primary and secondary schools. It allows us to organise and administer classes, lunches, exams etc.

## **How do we collect information about you?**

Most of the information the council holds about you will come from you as an individual and provided at your first encounter with education whether it is applying for an early learning and childcare place or the annual data check conducted by schools. Not all of the information you provide is shared with all the bodies listed and is only shared when the information is relevant to their purpose.

## **How long will we keep your information?**

We will not keep your information for any longer than it is needed, and will dispose of both paper and electronic records in a secure way. The length of time we need to keep information collected for providing Education Services varies will depend on the purpose for which it is collected. The Council has a Record Retention Schedule which sets out how long we keep records and the reason why. This is displayed on our website at following link: -

<https://www.eastrenfrewshire.gov.uk/records-management>

## **Who is your information shared with?**

Your information will be accessed by council staff who need to do so to administer education and the many services that run alongside it. If such administration is provided on the council's behalf by an external agency, that agency will also have access to your information. The information may be shared with:

- The Scottish Government
- Education Scotland
- East Renfrewshire Culture and Leisure Trust
- Scottish Qualifications Authority (SQA) and Scottish National Standards Assessments for the purposes of assessment and qualifications
- NHS for the purposes of NHS immunisation and screening programmes
- Private Nurseries
- Strathclyde Passenger Transport
- Scottish Children's Reporter Administration
- Police Scotland, in the case of safeguarding requirements
- Social Work Services
- Scottish Public Services Ombudsman

Additionally pupil information may also be shared with approved external software organisations providing educational products such as homework or tuition apps/online services, so that our pupils can register and utilise the learning products.

Where information is shared with other organisations or processed on our behalf, we will ensure adequate protection by ensuring contracts and sharing agreements are in place that define security controls around the sharing of the information.

Education Services will also make any disclosures required by law and share information with other bodies responsible for detecting/preventing fraud or auditing/administering public funds.

## **Your rights**

Depending on why we need to process your information you will have rights to how your information is used. Further information about your rights, including the circumstances in which they apply, can be found within our main Privacy Policy published on our website at

<https://www.eastrenfrewshire.gov.uk/privacy>

If you have concerns about the processing of your personal data, by the council, you can contact our Data Protection Officer at [dpo@eastrenfrewshire.gov.uk](mailto:dpo@eastrenfrewshire.gov.uk).

For independent advice about data protection, privacy and data sharing, visit the Information Commissioner's Office website at <https://ico.org.uk/your-data-matters/>.

**Do you require this statement in a different format?**

Please contact us if you require this information in an alternative format.

**Review**

This notice will be kept under regular review and was last updated on the 13 October 2020.