

How your personal Information is used by Schools and Early Learning and Childcare Providers.

Here at Midlothian Council, we take your privacy seriously. Under the Data Protection Act 2018, you have a right to know how we collect, use and share your personal data.

This privacy notice explains the information we need in order to deliver School and early learning and childcare provision. This activity is part of the Education Service provided by Midlothian Council.

[More information on the Education Service privacy notice](#)

Our Privacy Promise

We promise to collect, process, store and share your data safely and securely.

What lets us collect your information?

If we work with you we will be acting under some, or all, of the legislation noted below:

- Education (Scotland) Act 1980
- Standards in Scotland's Schools etc. Act 2000
- Children and Young People (Scotland) Act 2014
- Education (Scotland) Act 2016
- Children (Scotland) Act 1995
- Equality Act 2010

What kinds of personal data do we collect?

The personal data we collect might include your **name, date of birth, address, National Insurance number, or other information that identifies you.** We will also collect information about your child as this data is essential for the local authority's operational use. We use child and young person's data to:

- a) Enable us to carry out specific functions for which we are responsible
- b) Derive statistics which inform decisions such as the funding of early learning and childcare provision
- c) Assess performance and to set targets for schools/early learning and childcare settings

If necessary, we might also collect what is called 'special category' data – that is, sensitive information such as medical/health information.

How do we collect your personal data?

We collect your personal data in many different ways. You might give us your personal data yourself, by entering your information on a form or by contacting a Council officer in person, in writing or over the phone. We might also receive your personal data from other agencies or local authorities.

Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain personal information to us or if you have a choice in this

If we share information regularly with another organisation, the conditions for sharing your personal data are set out in an Information Sharing Agreement.

How do we use your personal data?

The personal information we need to collect is required for the purpose below:

To secure the safety and welfare of every child eligible for early learning and childcare funding and ensure that those children are supported to be healthy, to learn and to be resilient.

Why do we share your personal data?

The sharing is necessary for the exercise of the Council's Education function under the Education (Scotland) Act 1980, Children (Scotland) Act 1995, Children and Young People (Scotland) Act 2014 and related legislation.

With whom do we share your personal data?

If necessary, we might share your personal data with other agencies and authorities, depending on the service being provided. We will only share your personal data if it is necessary to do so, and the appropriate conditions have been met.

The external bodies with whom we share School and Nursery information might include (organisations with a star are mandatory):

- Internal Council services: Education, Children's Services*
- NHS Service: Immunisation and Dental Health*
- Police: Where appropriate and for the purposes of Child Protection*
- Central Government: ScotXed (Scottish Government Data Exchange)*
- Scottish Children's Reporter Administration *
- Parentpay: Pupil payment service
- Others (software suppliers etc)
- SQA (Scottish Qualifications Authority)*
- SEEMIS (Scottish Education Establishment Management Information Service)*
- 3rd Party Assessment providers including but not exclusively Granada Learning, CEM (Centre for Evaluation & Monitoring).

How long do we keep your personal data?

Your personal data is kept in line with Midlothian Council's Retention Schedule. The retention schedule sets out the kinds of information the Council creates and uses, how long it should be kept, and what should be done with it at the end of its 'life'.

[Our retention schedule \(Excel\)](#)

Further Information

You can also find out more about how we use your information to detect and prevent fraud or crime, information collected through our website, recorded telephone calls, CCTV, the rights you have under the Data Protection Act, and how to contact us by referring to the [overarching Midlothian Privacy Notice](#).