Midlothian Council
Home Education and Flexi-Schooling Privacy Notice

How your personal Information is used by Education.

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 carry out Home Education and Flexi-Schooling services. This activity is part of the Education Service provided by Midlothian Council. More information about the services provided can be found on our 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's 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.** 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 in a form on the Council website 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. 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 of school age and ensure that their education is directed to the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential.

This includes processing applications for withdrawal from school or flexi-schooling and meeting our statutory duty to monitor home education.

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 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 information might include (organisations with a star are mandatory):

- Internal Council services: Children's Services*
- Police: Where appropriate and for the purposes of Child Protection*
- Scottish Children's Reporter's Administration *

Personal data also might be shared between Midlothian Council services, including Schools.

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

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.