

# DATA PROTECTION

Scottish Borders Council is a local authority established under the Local Government etc. (Scotland) Act 1994 and its headquarters is based at Newtown St Boswells, Melrose TD6 0SA. You can contact our data protection officer by post at this address, or by email at: [dataprotection@scotborders.gov.uk](mailto:dataprotection@scotborders.gov.uk), or by telephone – 0300 100 1800.

## Why we need your information

Every child of school age has the right to be educated. A child is of school age if he/she has attained the age of 5 but has not attained the age of 16 years. The term “young person” applies to a pupil over school age, but who has not attained 18 years. The education authority has a duty to provide education to any young person who is still a school pupil.

We need to collect, use and store personal information about you and your child/ren to enable us to provide your child/ren with an appropriate education. We provide these services to you as part of our statutory function as your local authority under:

- The Education (Scotland) Act 1980, Education (Scotland) Act 1980
- The Education (Placing in Schools etc. Deemed Decisions) (Scotland) Regulations 1982
- The Standard in Scotland’s Schools Act 2000
- Education (Scotland) Act 2016

We also use your information to verify your identity where required, contact you by post, email or telephone to maintain our records.

## Who we will share information with

We will share information with health and wellbeing services and may share information with other external agencies and organisations who provide or assist with educational provision and with online payment solution providers.

- The [Scottish Government](#) for examination, career guidance and monitoring purposes.
- ParentPay, ESP Systems and CRB to allow the school to offer cashless catering and to receive payment for school trips and events;
- Groupcall to allow the school to communicate with you;
- The NHS for health monitoring;
- Netmedia to enable the online arrangement of parents evenings;
- Internal Scottish Borders Council departments to allow the provision of catering and transport.

On each occasion, the recipients are bound to the terms of a Data Sharing Agreement and accordingly will only use your child’s data for the specified purpose. This data sharing is in accordance with our Information Use and Privacy Policy and covered in our full [privacy statement](#) on our website.

We are also legally obliged to share certain data with other public and regulatory bodies such as Education Scotland, Police and NHS will do so where the law requires this.

Your information may also be shared and analysed internally in order to provide management information, inform service delivery reform and similar purposes to meet our duty to achieve best value and continuous service improvement.

We are legally obliged to safeguard public funds so we are required to verify and check your details internally for fraud prevention. We may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes.

## How long do we keep your information for?

We only keep your personal information for the minimum period amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on the business need. We will retain a copy of your child/ren's educational record up until they reach the age of 25.

## Photographs/videos

Photographs and videos may be taken by staff in the school, media and other parents for a variety of reasons for example Sports Day, celebrations of achievement, charity events, excursions etc. The school your child attends may wish to display or show photographs or videos taken by themselves, in print, in various locations or by electronic means such as a website. Likewise the media or other parents may wish to use the images of pupils in various ways. We ask you at the time your child enrolls at one of our schools if you are happy for images of your child to be used in this way and we try to ensure you are aware of, and understand, such possible use of your child's image and that you have consented.

Any permission given will remain in force during your child's primary and secondary schooling until you indicate that you wish to withdraw your consent. You can do this by contacting the head teacher of your school as soon as possible.

## Your Rights

You have the right to request access to any personal data held about you by the Council. You can also request that we restrict the use of your information or even object to any further processing. You can do this by contacting the Data Protection Officer using the contact details provided above. We will respond to your request within thirty calendar days.

For more information on your rights please visit our website <http://www.scotborders.gov.uk/DPYourRights> or if you would like a hard copy of this information, please contact us using the contact details provided above.

## Complaints

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact our Data Protection Officer by email at [dataprotection@scotborders.gov.uk](mailto:dataprotection@scotborders.gov.uk) or by telephone on 0300 100 1800.

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

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

You can visit their website for more information <https://ico.org.uk/make-a-complaint/> .

If your complaint is not about a data protection matter you can find details on how to make a complaint on our website:

[https://www.scotborders.gov.uk/info/20016/have\\_your\\_say/155/make\\_a\\_complaint/1](https://www.scotborders.gov.uk/info/20016/have_your_say/155/make_a_complaint/1)