

PRIVACY NOTICE

Guidance for issuing Privacy Notices

Details of any organisations with which the LA and DfE share data are contained on the LA and DfE websites, referenced from the Privacy Notices. This means that Privacy Notices do not need reissuing on an annual basis. The aim is to make the Privacy Notices issued to children and staff general and constant. Any changes to the details of organisations with which school or LA data is shared can be updated on the LA and DfE websites.

To ensure this approach to Privacy Notices works effectively:

- The LA and/or DfE will need to make hard copies of their website information available to those without web access
- The LA should have details of their Primary Care Trusts, youth support services and other local bodies with which they share data
- The DfE will include details of organisations it shares data with, such as the Learning Records Service (previously known as the Managing Information Across Partners programme (MIAP)), Ofsted, the examination boards, the Training and Development Agency for schools and the General Teaching Council for England.

Privacy Notices must be issued to new learners at a school, or new staff at a school or LA for which data are being provided in the School Workforce Census. They can be issued to new learners or staff by the school or LA at the same time as other communications. For example:

- A learner might receive the Privacy Notice as part of a school brochure or induction pack, or in a school diary, and it could be posted on the school notice board
- For staff, the Privacy Notice might be included as part of a contract, induction pack, and/or posted on the staff notice board
- A child receiving social care services or a child looked after might receive their Privacy Notice as part of other information about the services that they are being offered

It is anticipated that staff, and young people who have the maturity to understand the nature and the implications of the request they are making and who have a general understanding of their rights under the Data Protection Act, should generally be able to request to see their personal information themselves under the Subject Access Provisions (S.7) of the Data Protection Act. For children under 12, their parents will generally act on their behalf. In every case, it will be for the school, as data controller, to assess whether the child is capable of understanding their rights under the Act, and the implications of their actions and so decide whether the parent needs to make the request on the child's behalf.