

## **Scottish Government Education Analytical Services**

### **Information we obtain and hold about the views of parents and carers of children and young people educated in Scotland's schools**

#### **Privacy Notice**

The Scottish Government's Education Analytical Services, which is part of the Scottish Government's Learning Directorate, has legal powers to request data that local authorities and grant-aided schools hold for their own purposes in relation to the views of children and young people who are educated in Scotland's schools in relation to their own health and wellbeing.

For more information on the legislation which allows this to occur, see:

- [Local Government \(Scotland\) Act 1973](#)
- [The Education \(Scotland\) Act 1980](#)
- [The Jordanhill School Grant Regulations 1988](#)
- [The Special Schools \(Scotland\) Grant Regulations 1990](#)
- [Standards in Scotland's Schools etc. Act 2000](#)
- [Scottish Schools \(Parental Involvement\) Act 2006](#)

#### **Why do we need your data?**

We need information about parents and carers feel around their involvement and engagement with the education of their children and young people in order to:

- plan and deliver better policies for the benefit of all pupils, or specific groups
- better understand some of the factors which influence pupil attainment and achievement
- share good practice
- target resources better
- enhance the quality of research to improve the lives of people in Scotland
- provide a window on society, the economy and on the work and performance of government by
  - [publishing statistical publications and additional tables about School Education](#)
  - [providing school level information](#)

More information about the Scottish Government's Learning Directorate is available at <https://www.gov.scot/about/how-government-is-run/directorates/learning/>.

## **Data we collect**

The data collected and processed by the Scottish Government will be on the views of parents and carers of children and young people being educated in Scotland's schools. The data from the views of parents and carers children is initially received by the local authority from conducting their own surveys.

Although schools and local authorities require and collect a lot of additional information about the children and young people they are responsible for educating, not all of this information is shared with the Scottish Government. For example, we will not receive contact details for parents and carers that are collected for use within the school and local authority when contacting parents, etc. **We also do not collect the names of parents and carers.**

The information from parents and carers that will be shared with, and processed by, the Scottish Government will be:

- Child's School Name
- Views of their Child's School
- Views of their Child's School Parent Council
- Views of Family Learning
- Parent/Carer's Home Postcode
- Parent/Carer's Gender
- Parent/Carer's Age Group
- Parent/Carer's Ethnic Group

More information about this data collection can be found here:

<https://www.gov.scot/publications/parental-involvement-and-engagement-census/>

## **What happens if I do not finish the survey?**

Your progress is automatically saved after each page when completing the survey. This means that responses provided will be saved and submitted on your behalf, even if the survey was not completed.

## **Who is processing the data for this project?**

The source for most of this data is information collected and held by local authorities and grant-aided schools conducting their own surveys.

Access to any data shared by local authorities with the Scottish Government is heavily restricted to only those staff who need access to it, such as staff within the Scottish Government's Information Management, Improvement and Evidence Unit, IT support staff and a small number of Scottish Government analysts.

## **How do we collect and store the data**

The transferring of individual level data between local authorities with the Scottish Government uses secure transfer systems. The storage of this data within Scottish Government, is managed effectively by the Information Management, Improvement and EvidenceUnit (within the Scottish Government).

## **Protecting Individuals**

The individual data about the views from parents and carers is collected by the Scottish Government's Education Analytical Services for **statistical and research purposes only** for the performance of a task carried out for reasons of public interest.

The Scottish Government will not publish or make publicly available any information that allows individual people be identified, nor will data be used by Scottish Government to take any actions in respect of individuals.

### **Requirements of Others**

Schools and local authorities who originally collected the data from individuals are required to provide privacy notices to parents and carers to explain how their personal data will be collected and used, and who it will be shared with.

### **Retention of Data**

Education data within the Scottish Government is managed effectively by secure systems on secure servers and is exploited as a valuable corporate resource, subject to confidentiality restraints.

Regarding the retention of data, [Article 5](#) of the UK GDPR "Principles relating to processing of personal data" states:

*"personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject"*.

The data are processed in line with this legislation. The information collected will be used to inform planning and provision of education, and the linkage of such data to educational outcomes, etc. For example, researchers or charities may be interested in applying for access to education data to meet their own research needs.

### **Data sharing must meet legal requirements**

On occasion, we may share data on individuals when it is lawful and ethical to do so, and after we have considered the following questions:

- is it in the public interest to share the data?
- are we only sharing the minimum amount of data and for the shortest possible time to meet the request?
- does the data sharing comply with the law and have we got the right consent, if needed?
- does the organisation asking for the data have sufficient security standards themselves and are they aware of statistical disclosure controls?

Organisations we may share individual level data with are

- Education Scotland in order for this agency to carry out its functions
- Academic institutions and organisations to carry out additional research and statistical analysis which helps inform policy development and contributes to improving outcomes for Scotland's people
- Other Public Bodies who require the data in order to carry out their official functions.

### **How we meet ethical standards**

Any sharing or linkage of data will be done under the strict control of Scottish Government, and will be consistent with our data policy and the [National Data Linkage](#) Guiding Principles. Decisions on the sharing or linkage of data will be taken in consultation with relevant colleagues and individuals within and outwith Scottish Government as part of a Data Access Panel. At all times the rights of the individual (children or adults) under the UK GDPR and other relevant legislation will be ensured.

### **What are my individual rights?**

[Article 21](#) of the UK GDPR gives individuals the right to object to the processing of their personal data. However, where the processing personal data is for scientific or historical research, or statistical purposes, your right to object is more restricted.

[Article 21](#) (6) states:

*“Where personal data are processed for scientific or historical research purposes or statistical purposes pursuant to [Article 89\(1\)](#), the data subject, on grounds relating to his or her personal situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.”*

As the data we process is lawfully gathered and necessary for the performance of a task carried out for reasons of public interest, you do not have a right to object to the processing of your personal data because it is necessary for the performance of a task carried out in the public interest.

Also, as we require this data for the performance of a task carried out in the public interest (and for no other purpose, such as direct marketing), [Article 17\(3\)](#) of the UK GDPR states that we are also not required to erase any personal data as we need to retain this data for this purpose.

The Data Protection Act received Royal Assent on 23 May 2018. Schedule 2 [Part 6](#) of this Act “*Derogations etc. based on Article 89 for Research, Statistics and Archiving*” states that certain UK GDPR provisions do not apply to personal data processed for—

- (a) scientific or historical research purposes, or
- (b) statistical purposes,

to the extent that the application of those provisions would prevent or seriously impair the achievement of the purposes in question. However, these exemptions are only available where:

(a) the personal data is processed in accordance with [Article 89\(1\)](#) of the UK GDPR (as supplemented by section 19), and

(b) as regards the disapplication of Article 15(1) to (3), the results of the research or any resulting statistics are not made available in a form which identifies a data subject.

[Part 6](#) of this Act “*Derogations etc. based on Article 89 for Research, Statistics and Archiving*” also states that certain UK GDPR provisions do not apply to personal data processed for—

(a) archiving purposes in the public interest

to the extent that the application of those provisions would prevent or seriously impair the achievement of those purposes. However, these exemptions are only available where:

(a) the personal data is processed in accordance with Article 89(1) of the UK GDPR (as supplemented by section 19).

As the data we process is lawfully gathered and processed for Research, Statistics and Archiving in the public interest, in accordance with [Article 89\(1\)](#) of the UK GDPR, and that any results of the research or resulting statistics are not made available in a form which identifies individual children, young people or adults, you do not have a right to request access to the data we hold.

### **How often will this Privacy Notice be reviewed?**

This Privacy Notice will be reviewed on an annual basis. It was last reviewed and updated in August 2021.

### **What if I have concerns?**

The Data Protection Officer for this data is the Data Protection & Information Assets team, [dpa@gov.scot](mailto:dpa@gov.scot).

If you have any concerns around this data collection please contact the DPIAT team, or Mick Wilson, Head of Education Analytical Services ([Mick.Wilson@gov.scot](mailto:Mick.Wilson@gov.scot)).

- or by writing to us at: Education Analytical Services, Area 2A-North, Victoria Quay, Leith, Edinburgh, EH6 6QQ.

Alternatively complaints may be raised with the Information Commissioners Office at [casework@ico.org.uk](mailto:casework@ico.org.uk).