

Privacy Notice and Consent Form

Education Service

Who will process your information?

In order to deliver Education Services we need to collect, store, use, share and dispose of personal data. This is called data processing. When we process your personal data we must comply with data protection legislation. This consent form explains how we will use your personal data within the Education Service of Argyll and Bute Council and allows you to confirm your consent to our processing your information by signing this form.

The Council is registered with the Information Commissioner's Office as the 'Data Controller' for the personal data you provide to us. The Data Protection Officer, who is responsible for ensuring personal data is managed in accordance with data protection legislation is Iain Jackson, Governance Risk and Safety Manager, Argyll and Bute Council, Governance and Law, Kilmory, Lochgilphead PA31 8RT and he can be contacted at data.protection@argyll-bute.gov.uk

Telephone: 01546 604188 or 01546 605522

What information will you process?

The information we collect from you will include photos and videos of you or your work during your school life. We may also use your forename and surname when showcasing your work. The personal data you provide may also include special category information about you (also known as "sensitive personal data") in this case health or medical information, racial or ethnic origin.

Why is my information being processed?

Your information is being collected in order to support the Council in delivering services to you, as noted above. It's important that children and young people feel happy with their achievements and have photographs and films of their special moments and achievements. Family and friends also want to be able to share the successes of their children when they have been part of a special event or activity.

However, it also important to be aware of child protection and safeguarding issues when people are taking photographs or filming at events.

What is the lawful basis for this processing?

Article 6(1)(a) – Consent

When processing special category information (as noted above) we are doing so for reasons of substantial public interest for aims that are proportionate and which contain appropriate safeguarding measures

Circumstances where consent is not required – Curricular or Educational Activities

Consent is not the only legal basis that allows us to take/use film/photographs under General Data Protection Regulation. We can take/use film/photographs when it is necessary for the exercise of a statutory function (such as providing education). This would include, for example, filming pupils as part of a Drama or Physical Education examination. Any photography or film footage for these purposes must be treated confidentially as part of a pupil's academic record.

Copyright Law

The *Copyright, Designs and Patents Act 1988* gives the creators of work such as stories, songs and musical arrangements, rights to control the ways in which their work may be used. The rights cover: broadcast and public performance, copying, adapting, issuing, renting and lending copies to the public. In many cases, the creator will also have the right to be identified as the author. When we showcase a piece of art on the school wall we are not 'copying' it as it is the original piece being displayed. However, work posted on the internet could be deemed as a 'copy' of the original and you have the right to stop it being shown online. You also have the right to be named as author of the work if you choose to do so.

Who will have access to my personal information?

We will share your photos, videos and work with Joint Partnership bodies only if you have given your consent for this processing to happen as detailed in this consent form. Joint Partnership bodies are Live Argyll and Health for the purposes of promoting activities run in conjunction with the Council.

Where will we display your photos, videos and work?

- School handbook, School newsletters, Displays or notice boards, website or other promotional material
- Year Books
- DVDs of school shows, leavers dances, and residential trips
- Externally on social media for school and council, including technology/apps designed for sharing photos and videos with parents
- Externally on council and school website and in published reports/press releases/newsletters/blogs/vlogs and school handbooks
- Externally in local and/or national media as requested by Education Service
- Class and/or year photographs will be kept by schools and in Council archives indefinitely

We will not share any personal data which is not connected with the delivery of the service(s) noted above. By law, we may be required to share personal data for the prevention or detection of crime. These requests will generally come from the police, or another law enforcement agency.

It is important to note that once photos, videos and work are made public either on websites or social media they may be shared more widely and cannot be retrieved if you withdraw your consent.

You should also be aware that your data will be stored on servers located in the United Kingdom. There may be times when data is processed outwith the European Union and although they may not be subject to the same data protection laws as in the UK, we will take steps to make sure these companies provide an adequate level of protection in accordance with UK data protection laws. We will take all reasonable steps to ensure that your data is kept securely and more information on how this is done can be requested from the Data Protection Officer.

How long will my information be kept?

We will not keep your personal data for any longer than it is needed, and will dispose of any records (both paper and electronic) in a secure way. We will usually keep your information for a maximum of 1 academic year after you leave your current establishment, after this

period your photos, videos and work will no longer be used in any newly printed material. Class and/or year photographs may be displayed in schools and kept in council archives indefinitely for historical purposes therefore you may wish to exclude yourself from group photographs based on this. More information on the retention policy and procedure can be obtained from the Data Protection Officer if required.

Automated Decision Making

No automated decision making will take place.

YOUR RIGHTS

When you provide information, you will have the following rights:

- to withdraw consent at any time, *to do so please contact the Data Protection Officer*
- to lodge a complaint with the Information Commissioner's Office – *see below for details*
- to request access to your personal data – *please contact the Data Protection Officer*
- to data portability
- to request rectification or erasure of your personal data, as far as the legislation permits – please contact the Data Protection Officer and provide details of what data you wish to be rectified or erased.

You can find out more about your rights in relation to data protection here: www.argyll-bute.gov.uk/data-protection or from the Data Protection Officer by telephone or in writing, as detailed above.

The ICO is the UK's independent body set up to uphold information rights; you can request further information or register a complaint from:-

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow,
Cheshire, SK9 5AF
Telephone: 0303 123 1113
Email: casework@ico.org.uk

The Information Commissioner's Office –
Scotland
45 Melville Street, Edinburgh, EH3 7HL
Telephone: 0303 123 1115
Email: Scotland@ico.org.uk

If you require this consent form in any other format please contact School Support on 01369 704000.

**Please ensure you complete the consent form overleaf.
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IMPORTANT

School Name			
Pupil Name		Year Stage	

By signing this form I consent for photographs, videos and work to be processed, including special category data (if included) as detailed in this notice (please tick yes or no in the four separate sections as applicable):

1.	Yes	No
Yes, I consent to the publishing of photographs/videos taken of my child in all instances shown below: School handbook, school newsletter, Year Books, Displays/Notice Boards within the Council, Council and School website, Promotional materials, DVDs of shows, leavers dances and residential trips		

Images displayed in the ways noted above may be seen by members of the public.

Social Media

Please note that once published on social media such as Facebook and Twitter, Argyll and Bute Council does not have control of the storage or use of images which may be seen all over the world.

2.	Yes	No
Yes, I consent to the publishing of photographs/videos taken of my child in all instances shown below: Council and School Twitter, Council and School Facebook, School YouTube or other video streaming/video hosting websites, Blog/vlog/Other, In local and/or national media at the request of Education		

Education Service may share photographs/films with the press, for example, prize giving or P1 class photos and require your consent to do this. It is important to note that press and media organisations may publish photos online and to their social media sites also.

Joint Partnership Sharing of Photos and Videos

3.	Yes	No
Yes, I consent to the sharing and publishing of photographs/videos taken of my child with Live Argyll and Health.		

Please turn over for section 4

Copyright law: Copyright, Designs and Patents Act 1988

We need to ask you for your consent to share pictures and videos of your work on the internet e.g. on school social media sites and school and council websites.

4	Yes	No
Yes, I consent to the copying of my child’s work by sharing a photo/video of the work only (no photo/video footage of pupil to be included) to social media sites, school and council websites		
Yes, I consent to my child being named as the ‘author’ of the work on social media, school and council websites		

You can change your mind about giving or refusing consent at any time. If you no longer want your child’s image or work to be used let the school know by email or in writing.

If images are taken by local press/media, or parents/guests, at a public event or school event, Argyll and Bute Council will have no control of the storage or use of these images. Parents should only take photos/videos of their own child(ren) for their own personal use.

IMPORTANT (cont)

I confirm my responses at the sections number 1 – 4 above by providing my signature below:

Signature of Parent/Guardian or young person aged 16 or over	
Print Name	
Date	

OR

Signature of authorised third party*	
Print Name	
Date	

***NOTE:** please add a note below outlining why you are signing this consent form as a 3rd party and if relevant, provide evidence of your authority to act on behalf of the person making the enquiry or service request e.g. copy of Power of Attorney certificate.

Authorised third party information
