

Privacy Notice – Personal Learning Record: Pupils, Students, Learners and Trainers

What is the service being provided?	Personal; Learning Record							
What personal data do we need from you?	The information you supply is used by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE), to issue you with a Unique Learner Number (ULN) and to create your Personal Learning Record, as part of the functions of the DfE. For more information about how your information is processed, and to access your Personal Learning Record, please refer to: https://www.gov.uk/government/publications/lrs-privacy-notice							
Who will be using your Personal Data?	Who is the Data Controller ?	The Boswells School						
	Who is the Data Controller's Data Protection Officer ?	Lauri Almond (Essex County Council)						
	Are there any Data Processors ?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>			
	Who are they?	DfE						
What will it be used for and what gives us the right to ask for it and use it?	The Purpose (s):	To issue a Unique Learner Number (ULN) to create a Personal Learning Record						
	The Legal Condition (s):	Statutory						
	[DELETE if not using ' Legitimate Interests '] Our legitimate interests are:	Statutory						
	[DELETE if not using 'Consent'] You may withdraw your consent at any time by contacting us							
Who else might we share your data with?	n/a							
Will your data be stored in or accessible from countries with no UK-equivalent Privacy Law protections?	No							
How long will your data be kept?	When will it stop being used?	When Pupil transfers to another education establishment						
	How long after this will it be deleted?	Date of Birth + 25 years						
Our use of the data will be subject to your legal rights (marked if applicable):	Inform	<input checked="" type="checkbox"/>	Access	<input checked="" type="checkbox"/>	Rectify	<input checked="" type="checkbox"/>	Erase	<input type="checkbox"/>
	Restrict	<input type="checkbox"/>	Portable	<input type="checkbox"/>	Object	<input type="checkbox"/>	Automate	<input type="checkbox"/>
As you are giving us your	This is the reason why we are allowed to ask for it and use it:	Statutory Duty						

data directly to us:	This is what could happen if you refused to let us use your data for this purpose:	N/A			
As you are not giving your data directly to us:	This is who is giving us your personal data:	DfE			
	This is a source of personal data open to anyone	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
	These are the categories of personal data being given to us	Unique learner number			
Visit the following links for more information about Privacy Law, our obligations and your Rights:					
The ICO Guide to the General Data Protection Regulations 2016 The General Data Protection Regulations 2016					
If you have concerns over the way we are asking for or using your personal data, please raise the matter with our Data Protection Officer by the following means:					
Postal Address	Essex County Council. County Hall. Chelmsford. CM1 1QH				
Email	DPO@essex.gov.uk				
Phone Number	03330322970				
If you still have concerns following our response you have the right to raise the matter with the Information Commissioner's Office:					
Postal Address	Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF				
Online Form	https://ico.org.uk/concerns/handling/				
Phone Number	0303 123 1113				

Guidance

1. Who is a Data Controller? This is your Organisation.
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2. Who is the Data Protection Officer? This is a statutory post either within your organisation or a contracted service
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3. What is a Data Processor? This is someone who uses the data you are responsible for in order to deliver a service you have contracted them to deliver on your behalf
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4. What are Purposes? This is the reason you want to use the data, e.g. to create a pupil record
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5. What are the legal conditions?
 - a. **Personal Data** can be lawfully processed for the using the following conditions:
 - i. Consent
 - ii. Necessary to perform a contract obligation
 - iii. Blue light emergency services
 - iv. Statutory Duty
 - v. Legitimate Interests
 - b. **Sensitive Personal Data** can be lawfully processed for the using the following conditions:
 - i. Explicit Consent
 - ii. Employment, Social Security, Social Protection
 - iii. Blue light emergency services
 - iv. Legitimate Activities of 'charities/not for profit' organisations
 - v. Made Public by the person
 - vi. For legal defence/claims
 - vii. Substantial Public Interest
 - viii. Health & Social Care provision and management
 - ix. Pan UK Public Health (Epidemics)
 - x. Archiving for scientific/historical research or statistical purposes
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6. Legitimate Interests cannot be used as a processing condition other than I exceptional circumstances
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7. Any country outside of the European Economic Area (EU countries, plus Iceland, Lichtenstein and Norway) is not considered to have the same legal protections as the UK
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8. The right to inform requires you to tell people about how their rights are managed including if information is rectified, modified, erased or restricted
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9. The right to access means you must be able to provide a copy of a person's data to them upon written request

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10. The right to rectify requires you to correct inaccurate data. This may not always be possible if it relates to an official record or a professional opinion recorded by your staff. If this is the case you should not tick this box

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11. The right to erasure requires you to securely destroy the data you hold. This may not always be possible if it relates to an official record or a professional opinion recorded by your staff. If this is the case you should not tick this box

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12. The right to restrict requires you to stop processing data (other than keeping it secure) whilst a complaint is resolved. This may not always be possible if it relates to an official record or a professional opinion recorded by your staff. If this is the case you should not tick this box

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13. The right to Data Portability only applies when a service is based on 'Consent' and then only if it involves technology

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14. The right to object requires you to stop using the data for the purposes for which it was collected. This does not apply to any legal obligations to process the data, but does apply for any processing under Consent, e.g. marketing or profiling

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15. The right to refuse automated decision making means if a computer makes a decision about how you will deliver a service to a person; they have the right to request the decision to be made by a human Being.

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