

Review into the Closure of the New School Butterstone

Reviewer: James Martin CBE – Data Controller

Privacy Notice

This note explains how we collect and handle your personal data. Personal data means any information from which a person can be identified.

We are an independent non-statutory review that is looking into the closure of the New School Butterstone.

The purpose of the Review is to consider all available information fully and, if applicable, identify any learning that could enhance practice in the future through a written report.

The review is established via delegated authority from Scottish Ministers. The legal basis for processing this information falls within Article 6(1)(e) of the General Data Protection Regulation (GDPR) – processing is necessary for the performance of a task carried out in the public interest.

Why we process your personal data

We process (or use) your personal data for a number of reasons, but all of these reasons help us fulfil our [Terms of Reference](#).

What types of personal data we collect

The work of the review means we gather the following different types of information:

- Your name
- Your email address
- The organisation you work for, if applicable to the review
- Any other relevant contact details, such as telephone or postal address
- Information on the areas of our work you are interested in
- Your views and opinions about the closure of the New School Butterstone

We anticipate that if you are sharing your personal experiences this could include personal data.

How we collect personal data and how we will use it

If you contacted us by telephone, email or letter, we will keep the personal contact data that you provide. This may be your name, email, a phone number and/or address. We may use it to contact you about the work of the review.

Personal data or sensitive personal data that is provided to the review, but is not relevant to its work, will be redacted or destroyed.

The scope of the review is set out below. In the first instance the Reviewer will consider the following:

- The roles and responsibilities of the relevant bodies in relation to the educational quality, safety, and wellbeing of the children and young people attending the school;
- The actions and decisions the relevant bodies took from 1 January 2017 to the school closing on 23 November 2018. This includes the interactions with the school, each other, and the basis on which recommendations and requirements were placed upon the school;
- Any written contributions received from the relevant bodies, or individuals affected by the decision to close the school.

Having considered the roles, responsibilities and actions of the relevant bodies and any written contributions, and having met with these organisations, the Reviewer will then be in a position to decide if they wish to meet with other relevant organisations and persons affected by the decision to close the school.

It is at this point that the Reviewer will set out the next stage of engagement. The review will only collect personal information that is relevant to the review. It is up to you how much personal information you want to share. It will be shared with people working in the review team and any personal data will be anonymised in the final report.

It is important that the personal data we hold for you is accurate and current. Please keep us informed if your personal data changes over the duration of the review.

Legal basis for processing personal data

We process personal data lawfully in compliance with the General Data Protection Regulation (GDPR) and other UK data protection legislation. The review is established via delegated authority from Scottish Ministers.

Our lawful basis as defined by GDPR is that we are carrying out a public task that is in the public interest, by fulfilling our function as a review and pursuing the legitimate interest in fulfilling our Terms of Reference. (Article 6 (1) (e) of the GDPR.

Carrying out a public task means that the processing we carry out is necessary for the performance of a task carried out in the public interest or in the exercise of official authority invested in us. This review is for the benefit of the public, by considering all available information related to the closure of the New School Butterstone fully and, if applicable, identifying any learning that could enhance practice in the future.

We can process your data because it is necessary for our legitimate interests in fully carrying out the review. We can only rely on this lawful basis when we believe our interest is not overridden by your fundamental rights and freedoms.

How we protect your data and keep it secure

We keep your personal data secure and only share it within the review team members.

Personal data is held in secure encrypted electronic storage systems. These systems are only accessible by members of the review team. Any hard copy information is held in secure conditions within the premises to which members of the public do not have access. Hard copy information is transferred to electronic format as soon as practicable and the hard copy information is then destroyed securely.

All personal data we receive is handled fairly and lawfully in line with data legislation.

How long do we keep your data?

We will keep your personal data for as long as is necessary to allow the review to fulfil its function.

If you contact us by telephone, or email or letter during the review, we will keep your personal data that you provide us. We will do so solely to enable us to carry out the work of the review and will generally retain it for the duration of the review.

We may be required to transfer certain records to the Keeper of Records at the end of the review. Records of the review that are not required by the Keeper will be destroyed within 3 months of the end of the review.

Personal data that is not relevant to the review will be redacted from records.

What are your rights?

You have the right to be informed of how we are using your personal data.

You have the right to request:

- Copies of your personal data that we hold
- To have your personal data corrected if you believe what we hold is wrong
- To have your personal data we hold on you deleted
- Restrictions on how we use your data
- Your personal data be moved or transferred in a portable and safe way.

Contact and Complaints

If you wish to contact us about the terms of this privacy notice please write to TheNewSchoolButterstoneReview@gov.scot

If you are unhappy with the outcome of any complaint resolution we provide, you have the right to lodge a complaint with the Information Commissioners Office if you are dissatisfied with the service. You can do this:

- Through their website <https://ico.org.uk/concerns/>
- By calling their helpline on 0303 123 1113
- Or writing to them at UK Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire

Contact information

Email: TheNewSchoolButterstoneReview@gov.scot

Write to us:

The New School Butterstone Independent Review
c/o Scottish Government
Learning Directorate
Area 2B North
Victoria Quay
Edinburgh EH6 6QQ