

**Customer Services: Education  
Nessy Privacy Notice  
Your Personal Data**

What information do we need?

Argyll and Bute Council will act as the 'Data Controller' in regard to the personal data you provide to us. The Data Protection Officer can be contacted at the Council's headquarters is at Kilmory, Lochgilphead PA31 8RT. The email address is: [data.protection@argyll-bute.gov.uk](mailto:data.protection@argyll-bute.gov.uk)

Bowmore Primary has made a decision to use a company called Nessy to provide you with Education services. This means that personal information about you that you have previously provided in order to receive Education will be shared with this company. This information is contained in the General Education Privacy Notice which can be found on the Council website at <https://www.argyll-bute.gov.uk/data-protection#privacy> . The personal data will include your name and date of birth.

Why do Nessy need this information?

Your information is being collected to help support your learning, monitor and report on your progress within school and by using a computer system operated by the company Nessy.

There are enhanced benefits to the pupil, parents/carers and the school in using this tool.

The legal bases for collecting your information in these circumstances are:

Article 6(1)(e) - **Public task** based on the Councils duty to monitor and track pupil progress, to be inclusive and to remove barriers to learning contained in in the legislation detailed below.

**Legal Obligation:**

- Education (Scotland) Act 1980
- Education (Additional Support for Learning) (Scotland) Act 2009
- Scottish Schools (Parental Involvement) Act 2006
- Standards in Scotland's Schools etc. Act 2000
- Children and Young People (Scotland) Act 2014

What we will do with your information?

The information Nessy collects from you will be processed in the European Economic Area (EEA).

Your information will be shared with the recipients or categories of recipients as detailed below:

What we will do with your information	
Who we will share with	Reason for Sharing
Nessy and their associated subprocessors	Nessy also use 3 <sup>rd</sup> party processors to deliver their services. All 3 <sup>rd</sup> party processors used by Nessy have been checked for privacy policies and that this is reviewed annually by Nessy. Their 3 <sup>rd</sup> party processors are listed at <a href="https://www.nessy.com/uk/legal/third-party-providers/">https://www.nessy.com/uk/legal/third-party-providers/</a>  Their 3 <sup>rd</sup> party processors outwith EEA are for internal use only.

We will take all reasonable steps to ensure that your data is kept securely and more information on how we do this is provided on the Council website ([www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)) or can be provided in paper format on request to your School Support 01369 704000.

## How long will Nessy keep your information?

Personal data will be held in Nessy for as long as the pupil is using the service. Once an account is deleted, or deemed inactive (not accessed for a period of more than a year), the personal data associated will be anonymised. Schools will delete pupil records when they leave the school. Accounts and its associated personal data can be deleted upon request.

More information on Argyll and Bute Council's retention schedule is provided on the Council website ([www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)) or can be provided in paper format on request to School Support 01369 704000.

## Your Rights

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

- to withdraw consent at any time, where the legal basis specified above is consent
- to lodge a complaint with the Information Commissioner's Office
- to request access to your personal data
- to data portability, where the Legal basis specified above is i) consent or ii) performance of a contract
- to request rectification or erasure of your personal data, as so far as the legislation permits

If you would like this document in an alternative format, such as a hard copy, please contact Bowmore Primary School on 01496810522.

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

### Information Commissioner's Office

The ICO is the UK's independent body set up to uphold information rights.

Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113 Email: [casework@ico.org.uk](mailto: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](mailto:Scotland@ico.org.uk)