**Privacy Notice**

**Consultations - Department of Education**

**Data Controller:** Department of Education (DE)

**Address:** Rathgael House, Balloo Road, Rathgill, Bangor, BT19 7PR

**Email:** [de.earlyyears@education-ni.gov.uk](mailto:de.earlyyears@education-ni.gov.uk)

**Telephone: 028 9127 7605**

**Data Protection Officer:** Alan Macdonald

**Telephone:** 028 91 279788

**Email:** dataprotectionofficer@education-ni.gov.uk

Being transparent and providing accessible information to individuals about how we may use personal data is a key element of the [Data](http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted) Protection Act 2018 (DPA) and the UK General Data Protection Regulation (UK GDPR). DE is committed to building trust and confidence in our ability to process your personal information and protect your privacy.

**Purpose for processing**

We will process personal data provided in response to consultations for the purpose of informing the development of our policy, guidance, or other regulatory work in the subject area of the request for views. We will publish a summary of the consultation responses and, in some cases, the responses themselves but these will not contain any personal data. We will not publish the names or contact details of respondents, but will include the names of organisations responding.

If you have indicated that you would be interested in contributing to further DE work on the subject matter covered by the consultation, then we may process your contact details to get in touch with you.

**Legal basis for processing**

The appropriate processing of responses received to public consultations is necessary to support DE in achieving its statutory obligations and meet its public task responsibilities, in compliance with Article 6(1) of the UK GDPR: *processing shall be lawful only if and to the extent that an appropriate lawful basis has been identified.*

The legal basis DE relies on to process your personal data is Article 6(1)(e) of the UK GDPR. Article 6(1)(e) provides the lawful basis for processing where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (DE).

This can apply if you are either:

* carrying out a specific task in the public interest which is laid down by law;

or

* exercising official authority (for example, a public body’s tasks, functions, duties or powers) which is laid down by law.

Further, the DPA Section 8(d) provides that in Article 6(1) of the UK GDPR (lawfulness of processing), the reference in point (e) to processing personal data that is necessary for the performance of a task carried out in the public interest or in the exercise of the controller’s (DE) official authority includes processing of personal data that is necessary for:

(d) the exercise of a function of the Crown, a Minister of the Crown or a government department.

DE will only process any special category personal data you provide, which reveals racial or ethnic origin, political opinions, religious belief, health or sexual life/orientation, when it is necessary for reasons of substantial public interest under Article 9(2) (g) of the UK GDPR, in the exercise of the function of DE and to monitor equality.

**How will your information be used and shared?**

DE will process the information internally for the above stated purpose. We don't intend to share your personal data with any third party. Any specific requests from a third party for us to share your personal data with them will be dealt with in accordance the provisions of the data protection laws.

**How long will we keep your information?**

DE will retain consultation response information until our work on the subject matter of the consultation is complete and in line with DE’s Public Record Office (NI) approved Retention and Disposal Schedule.

**What are your rights?**

* You have the right to obtain confirmation that your data is being [processed, and access to your personal data](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/);
* You are entitled to have personal data [rectified if it is inaccurate or incomplete](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-rectification/);
* You have a right to have personal data [erased and to prevent processing](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-erasure/), in specific circumstances;
* You have the right [to ‘block’ or suppress processing](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-restrict-processing/) of personal data, in specific circumstances;
* You have the right to [data portability](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-data-portability/), in specific circumstances;
* **You have the right to** [object to the processing](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-object/)**,** in specific circumstances;
* **You have rights in relation to** [automated decision making and profiling](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/rights-related-to-automated-decision-making-including-profiling/).

**How to complain if you are not happy with how we process your personal information?**

If you wish to request access, object or raise a complaint about how we have handled your data, you can contact DE’s Data Protection Officer using the details above.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner at:

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

[casework@ico.org.uk](mailto:casework@ico.org.uk)

**Further Information**

* ICO guide to UK GDPR:

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/>

* Data Protection Act 2018:

<http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>