Privacy Notice Policy

What the School, Local Authority, Education Achievement Service for South East Wales and Welsh Government does with the Educational Information they hold on Children and Young People

Subject

To meet the requirements of the Data Protection Act 1998, schools are required to issue a Privacy Notice to children and young people and/or parents and guardians summarising the information held on record about children and young people, why it is held, and the third parties to whom it may be passed.

This Privacy Notice provides information about the collection and processing of children's or young people's personal and performance information by the Welsh Government, Newport City Council (LA), the Education Achievement Service for South East Wales (EAS) and Ysgol Gymraeg Bro Teyrnon.

The collection of personal information

The school collects information about children and young people and their parents or legal guardians when children and young people enrol at the school. The school also collects information at other key times during the school year and may receive information from other schools/Early Years providers when children and young people transfer.

The School processes the information it collects to administer the education it provides to children and young people. For example:

- the provision of educational services to individuals;
- monitoring and reporting on pupils'/children's educational progress;
- monitoring and reporting on pupil's/children's conduct;
- the provision of welfare, pastoral care and health services;
- the giving of support and guidance to children and young people, their parents and legal guardians;
- the organisation of educational events and trips;
- the planning and management of the school.

Welsh Government, Local Authority (LA) and the Education Achievement Service for South East Wales (EAS)

The Welsh Government receives information on school pupils normally as part of the Pupil Level Annual Schools Census (PLASC). The Welsh Government may receive information

on children who attend LA funded early years provision in non-maintained settings. The Welsh Government uses this personal information for research (carried out in a way that ensures individual children and young people cannot be identified) and for statistical purposes, to inform, influence and improve education policy and to monitor the performance of the education service as a whole. Examples of the sort of statistics produced can be viewed at www.wales.gov.uk/statistics

The LA and the EAS also use the personal information collected to do research. They use the results of this research to make decisions on policy and the funding of schools, to calculate the performance of schools and help them to set targets. The research is carried out in a way that ensures individual children and young people cannot be identified.

In addition the Welsh Government, LAs and the EAS receive information regarding National Curriculum assessment and public examination results and attendance data at individual pupil level.

Personal information held

The sort of personal information that will be held includes:

- personal details such as name, address, date of birth, child/young person identifiers and contact details for parents and guardians;
- information on any special educational needs;
- information on performance in internal and national assessments and examinations;
- information on conduct and any disciplinary action taken;
- information on the ethnic origin and national identity of children and young people (this is used only to prepare summary statistical analyses);
- details about children's and young people's immigration status (this is used only to prepare summary statistical analyses);
- medical information needed to keep children and young people safe while in the care of the school;
- information on attendance and any disciplinary action taken;
- information about the involvement of social services with individual children and young people where this is needed for the care of the child/young person.

Organisations which may share personal information

Information held by the school, Early Years providers, LA, the EAS and the Welsh Government on children and young people, their parents or legal guardians may also be shared with other organisations when the law allows, for example:

- other education and training bodies, including schools, when children and young people are applying for courses or training, transferring schools or seeking guidance on opportunities;
- bodies doing research for the Welsh Government, LA and schools/Early Years providers, as long as steps are taken to keep the information secure;
- central and local government for the planning and provision of educational services;
- social services and other health and welfare organisations where there is a need to share information to protect and support individual children and young people;
- various regulatory bodies, such as ombudsmen and inspection authorities, where the law requires that information be passed on so that they can do their work;
- the Office of National Statistics (ONS) in order to improve the quality of migration and population statistics

- examination bodies and other education based testing services for the purpose of administering and awarding pupil results
- bodies doing work on behalf of Welsh Government initiatives such as Hwb, the all Wales digital learning platform

Children and young people have certain rights under the Data Protection Act, including a general right to be given access to personal data held about them by any "data controller." The presumption is that, by the age of 12, children and young people have sufficient maturity to understand their rights and to make an access request themselves if they wish. A parent would normally be expected to make a request on a child's behalf if the child is younger.

If you wish to access your personal data, or that of your child, then please contact the relevant organisation in writing. Details of this organisation can be found on the following website www.newportlearn.net/broteyrnon/ or www.newport.gov.uk. For those children and young people or parents where this is not practical, a hard copy can be obtained from the school by contacting the Head Teacher in writing.

Other information

The Welsh Government, LA and school place a high value on the importance of information security and have a number of procedures in place to minimise the possibility of a compromise in data security.

The Welsh Government, LA and school//Early Years provider will endeavour to ensure that information is kept accurate at all times. Personal information will not be sent outside the United Kingdom.

Your rights under the Data Protection Act 1998

The Data Protection Act 1998 gives individuals certain rights in respect of personal information held on them by any organisation. These rights include:

- the right to ask for and receive copies of the personal information held on **yourself**, although some information can sometimes be legitimately withheld;
- the right, in some circumstances, to prevent the processing of personal information if doing so will cause damage or distress;
- the right to ask for wrong information to be put right;
- the right to seek compensation if an organisation does not comply with the Data Protection Act 1998 and you personally suffer damage;
- in some circumstances, the parent or legal guardian of a child or young person *may* have a right to receive a copy of personal data held about a child/young person in their legal care. Such cases will be considered on an individual basis where the individual concerned is deemed to have insufficient understanding of their rights under the Act.

You also have the right to ask the Information Commissioner, who enforces and oversees the Data Protection Act 1998, to assess whether or not the processing of personal information is likely to comply with the provisions of the Act.

Seeking further information

For further information about the personal information collected and its use, if you have concerns about the accuracy of personal information, or wish to exercise your rights under the Data Protection Act 1998, you should contact:

- the school on (01633) 850804**;**
- your LA on (01633) 656656**;**
- the EAS on 01443 864963;

- the Welsh Government's data protection officer at the Welsh Government, Cathays Park, Cardiff, CF10 3NQ;
- the Information Commissioner's office help line on 01625 545 745 or 0303 123 1113;
- information is also available from www.ico.gov.uk.

Polisi Hysbysiad Preifatrwydd

Yr Hyn y mae'r Ysgol, yr Awdurdod Lleol, Gwasanaeth Cyflawniad Addysg De Ddwyrain Cymru, a Llywodraeth Cymru yn ei wneud â'r Wybodaeth Addysgol y maent yn ei chadw am Blant a Phobl Ifanc

Pwnc Trafod

Er mwyn bodloni gofynion Deddf Diogelu Data 1998, mae'n ofynnol i ysgolion roi Hysbysrwydd Preifatrwydd i blant a phobl ifanc a/neu rieni a gwarcheidwaid yn crynhoi'r wybodaeth sy'n cael ei chadw am blant a phobl ifanc mewn cofnodion, gan nodi pam mae'r wybodaeth yn cael ei chadw, a'r bobl neu'r sefydliadau y ceir rhoi'r wybodaeth honno iddynt.

Mae'r Hysbysrwydd Preifatrwydd hwn yn rhoi gwybodaeth am yr hyn sy'n digwydd pan fo Llywodraeth Cymru, Cyngor Dinas Casnewydd, Gwasanaeth Cyflawniad Addysg De Ddwyrain Cymru ac Ysgol Gymraeg Bro Teyrnon yn casglu ac yn prosesu gwybodaeth bersonol am blant a phobl ifanc, ynghyd â gwybodaeth am eu perfformiad.

Casglu gwybodaeth bersonol

Mae'r ysgol yn casglu gwybodaeth am blant a phobl ifanc ac am eu rhieni neu eu gwarcheidwaid cyfreithiol pan fo plant a phobl ifanc yn cofrestru gyda'r ysgol. Mae'r ysgol yn casglu gwybodaeth ar adegau allweddol eraill yn ystod y flwyddyn ysgol hefyd ac mae'n bosibl y byddant yn cael gwybodaeth oddi wrth ysgolion/darparwyr Blynyddoedd Cynnar eraill pan fo plant a phobl ifanc yn newid ysgol/darparwr.

Mae'r Ysgol yn defnyddio'r wybodaeth a gesglir i weinyddu'r addysg y mae'n ei darparu ar gyfer plant a phobl ifanc. Er enghraifft:

- darparu gwasanaethau addysgol i unigolion;
- monitro ac adrodd am gynnydd addysgol y disgyblion/plant;
- darparu gwasanaethau lles, gofal bugeiliol a gwasanaethau iechyd;
- rhoi cefnogaeth ac arweiniad i blant a phobl ifanc, eu rheini a'u gwarcheidwaid cyfreithiol;
- trefnu digwyddiadau a theithiau addysgol;
- cynllunio a rheoli'r ysgol.

Llywodraeth Cymru a'r Awdurdod Lleol

Fel arfer, mae gwybodaeth am ddisgyblion ysgol yn dod i law Llywodraeth Cymru fel rhan o'r Cyfrifiad Ysgolion Blynyddol ar Lefel Disgyblion (CYBLD). Mae'n bosibl y bydd Llywodraeth Cymru yn cael gwybodaeth am blant mewn darpariaeth Blynyddoedd Cynnar sy'n cael ei

hariannu gan yr ALl ac sy'n cael ei chynnig mewn lleoliadau nas cynhelir. Mae Llywodraeth Cymru yn defnyddio'r wybodaeth bersonol hon er mwyn gwneud gwaith ymchwil (sy'n cael ei wneud mewn modd sy'n sicrhau na ellir adnabod plant a phobl ifanc) ac at ddibenion ystadegol, er mwyn llywio polisi addysg, dylanwadu arno a'i wella, ac er mwyn monitro perfformiad y gwasanaeth addysg yn ei gyfanrwydd. Cewch weld enghreifftiau o'r mathau o ystadegau a gaiff eu paratoi yn www.wales.gov.uk/statistics

Mae'r ALl a Gwasanaeth Cyflawniad Addysg De Ddwyrain Cymru (GCA) hefyd yn defnyddio'r wybodaeth bersonol a gesglir i wneud gwaith ymchwil. Maent yn defnyddio canlyniadau'r ymchwil hon i wneud penderfyniadau am bolisi ac am ariannu ysgolion, i asesu perfformiad ysgolion a'u helpu i osod targedau. Mae'r ymchwil yn cael ei gwneud mewn modd sy'n sicrhau na ellir adnabod plant a phobl ifanc unigol.

Mae Llywodraeth Cymru, ALlau a’r GCA yn cael gwybodaeth hefyd am ganlyniadau asesiadau'r Cwricwlwm Cenedlaethol ac arholiadau cyhoeddus, ynghyd â data am bresenoldeb ar lefel disgyblion unigol.

Yr wybodaeth bersonol a gedwir

Dyma'r math o wybodaeth bersonol a gedwir:

- manylion personol megis enw, cyfeiriad, dyddiad geni, dynodydd y plentyn/person ifanc a manylion cyswllt rhieni a gwarcheidwaid;
- gwybodaeth am unrhyw anghenion addysgol arbennig;
- gwybodaeth am berfformiad mewn asesiadau ac arholiadau mewnol a chenedlaethol;
- gwybodaeth am dras ethnig a hunaniaeth genedlaethol plant a phobl ifanc (dim ond er mwyn paratoi dadansoddiadau ystadegol cryno y defnyddir yr wybodaeth hon);
- manylion am statws mewnfudo plant a phobl ifanc (dim ond er mwyn paratoi dadansoddiadau ystadegol cryno y defnyddir yr wybodaeth hon);
- gwybodaeth feddygol y mae ei hangen er mwyn cadw'r plant a'r bobl ifanc yn ddiogel tra bônt dan ofal yr ysgol;
- gwybodaeth am bresenoldeb ac am unrhyw gamau disgyblu a gymerwyd;
- gwybodaeth am unrhyw gysylltiad rhwng y gwasanaethau cymdeithasol a phlant a phobl ifanc unigol, os oes angen cysylltiad o'r fath er mwyn gofalu am y plentyn/person ifanc.

Sefydliadau sy'n cael rhannu gwybodaeth bersonol

Caiff yr ysgol, darparwyr Blynyddoedd Cynnar, yr ALl, y GCA, a Llywodraeth Cymru rannu'r wybodaeth a gedwir am blant a phobl ifanc, ac am eu rhieni neu'u gwarcheidwaid cyfreithiol gyda sefydliadau eraill pan fydd y gyfraith yn caniatáu hynny, er enghraifft:

- cyrff addysg a chyrff hyfforddi eraill, gan gynnwys ysgolion, pan fydd plant a phobl ifanc yn gwneud cais i fynd ar gyrsiau, i gael hyfforddiant, i newid ysgol neu pan fyddant yn gofyn am gyngor ar gyfleoedd;
- cyrff sy'n gwneud ymchwil ar ran Llywodraeth Cymru, yr ALl a'r ysgolion/darparwyr Blynyddoedd Cynnar, cyn belled ag y cymerir camau i gadw'r wybodaeth yn gyfrinachol;
- llywodraeth ganolog a lleol er mwyn cynllunio a darparu gwasanaethau addysgol;
- gwasanaethau cymdeithasol a sefydliadau iechyd a lles eraill pan fo angen rhannu gwybodaeth er mwyn amddiffyn a chynorthwyo plant a phobl ifanc unigol;
- amryfal gyrff rheoleiddio, megis ombwdsmyn ac awdurdodau arolygu, pan fo'r gyfraith yn dweud bod yn rhaid trosglwyddo'r wybodaeth honno er mwyn iddynt allu gwneud eu gwaith;

- y Swyddfa Ystadegau Gwladol er mwyn gwella ansawdd yr ystadegau am ymfudo a'r boblogaeth
- cyrff arholiadau a gwasanaethau asesiad eraill ar gyfer gweinyddu a dyfarnu canlyniadau disgyblion
- cyrff sy'n gwneud gwaith ar ran mentrau Llywodraeth Cymru, megis Hwb, llwyfan dysgu Cymru gyfan.

Mae gan blant a phobl ifanc hawliau penodol o dan y Ddeddf Diogelu Data, gan gynnwys hawl gyffredinol i gael gweld data personol y mae unrhyw "reolydd data" yn eu cadw amdanynt. Rhagdybir bod plant a phobl ifanc yn ddigon aeddfed yn 12 oed i ddeall eu hawliau ac i wneud cais drostynt eu hunain i weld yr wybodaeth, os dyna'u dymuniad. Fel arfer, byddai disgwyl i riant wneud cais ar ran plentyn sy'n ifancach na hynny.

Os hoffech weld y data personol sy'n cael eu cadw amdanoch chi, neu am eich plentyn, dylech anfon cais ysgrifenedig at y sefydliad perthnasol. Mae manylion y sefydliad hwn i'w weld ar y wefan a ganlyn: www.newportlearn.net/broteyrnon/ neu www.newport.gov.uk. Os nad yw hyn yn ymarferol i blant a phobl ifanc na'u rhieni, dylent ofyn i'r ysgol am gopi caled drwy gysylltu â'r Pennaeth yn ysgrifenedig.

Gwybodaeth arall

Mae cadw gwybodaeth yn ddiogel yn bwysig iawn i Lywodraeth Cymru, i'r ALl ac i'r ysgol, ac mae ganddynt nifer o weithdrefnau er mwyn lleihau unrhyw berygl posibl i ddiogelwch yr wybodaeth honno.

Bydd Llywodraeth Cymru, yr ALl a'r ysgol yn ceisio sicrhau bod yr wybodaeth a gedwir yn gywir bob amser. Ni fydd gwybodaeth bersonol yn cael ei hanfon y tu allan i'r Deyrnas Unedig.

Eich hawliau o dan Ddeddf Diogelu Data 1998

Mae Deddf Diogelu Data 1998 yn rhoi hawliau penodol i unigolion o ran yr wybodaeth bersonol a gedwir amdanynt gan unrhyw sefydliad. Ymhlith yr hawliau hyn mae:

- yr hawl i ofyn am weld a chael copïau o'r wybodaeth bersonol a gedwir amdanoch **chi**, er bod cyfiawnhad weithiau dros gadw peth gwybodaeth yn ôl;
- yr hawl, o dan rai amgylchiadau, i atal gwybodaeth bersonol rhag cael ei phrosesu pe byddai hynny'n achosi niwed neu ofid;
- yr hawl i ofyn am gael cywiro gwybodaeth sy'n anghywir;
- yr hawl i ofyn am iawndal os nad yw sefydliad yn cadw at Ddeddf Diogelu Data 1998 a'ch bod chi'n bersonol yn dioddef niwed;
- o dan rai amgylchiadau mae'n *bosibl* y bydd gan riant neu warcheidwad cyfreithiol plentyn neu berson ifanc yr hawl i gael copi o'r data personol a gedwir am blentyn/person ifanc sydd o dan eu gofal cyfreithiol hwy. Bydd achosion o'r fath yn cael eu hystyried yn unigol os bernir nad oes gan yr unigolyn ddigon o ddealltwriaeth o'i hawliau o dan y Ddeddf.

Mae gennych yr hawl hefyd i ofyn i'r Comisiynydd Gwybodaeth, sy'n gyfrifol am orfodi a goruchwylio Deddf Diogelu Data 1998, asesu a yw'n debygol bod yr wybodaeth wedi cael ei phrosesu yn unol â darpariaethau'r Ddeddf ai peidio.

Gofyn am ragor o wybodaeth

I gael rhagor o wybodaeth am yr wybodaeth bersonol a gasglwyd ac ynghylch sut mae'n cael ei defnyddio, neu os ydych yn pryderu ynghylch pa mor gywir yw'r wybodaeth honno, neu os ydych yn dymuno arfer eich hawliau o dan Ddeddf Diogelu Data 1998, dylech gysylltu â:

- yr ysgol ar (01633) 850804**;**
- eich ALl (01633) 656656**;**
- y GCA ar 01443 864963
- swyddog diogelu data Llywodraeth Cymru, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ;
- llinell gymorth swyddfa'r Comisiynydd Gwybodaeth ar 01625 545 745 neu 0303 123 1113;
- mae gwybodaeth ar gael hefyd oddi wrth www.ico.gov.uk.