

## Number of staff accredited to use CALM Physical Intervention Techniques

School	Number of staff
Aberchirder Primary	*
Aboyne Academy	*
Aboyne Primary	*
Alehousewells Primary	*
Alford Academy	*
Alford Primary	*
Anna Ritchie School	31
Auchterless Primary	*
Banff Primary	6
Carronhill School	15
Cluny Primary	*
Crombie Primary	8
Dales Park Primary	*
Dunnottar Primary	*
Ellon Primary	*
Fyvie Primary	*
Gordon Primary	9
Inverurie Academy	*
Kemnay Academy	*
Kinellar Primary	*
Lairhillock Primary	*
Laurencekirk Primary	12
Luthermuir Primary	*
Macduff Primary	*
Mackie Academy	*
Maud Primary	*
Meldrum Academy	*
Meldrum Primary	*
Mill O' Forest Primary	*
Mintlaw Academy	*
Monymusk Primary	5
New Pitsligo & St John's Primary	*
Oyne Primary	*
Pitfour Primary	*

Pitmedden Primary	*
Port Erroll Primary	*
Portlethen Primary	5
St Andrew's School, Inverurie	39
St Cyrus Primary	*
St Fergus Primary	*
Strathburn Primary	5
Strichen Primary	*
Turriff Academy	*
Turriff Primary	*
Westfield School	12

### Number of staff accredited to use CALM Small Holds Physical Intervention Techniques

School	Number of staff
Aboyne Primary	*
Alehousewells Primary	*
Anna Ritchie School	10
Ballater Primary	*
Bervie Primary	*
Crombie Primary	*
Ellon Primary	*
Fyvie Primary	*
Kinellar Primary	*
Lairhillock Primary	*
Logie Durno Primary	*
Lumphanan Primary	*
Mill O' Forest Primary	*
Portlethen Primary	5
St Andrew's School, Inverurie	*
St Cyrus Primary	*
Tarland Primary	*
Turriff Primary	*
Westfield School	6

\* Aberdeenshire Council are of the opinion that the exemption under the following section of the Act applies to the number of staff less than 5 that have training. :-  
Section 38(1)(b) – personal data where the "first condition" is satisfied

The information falls within the definition of "data" in the Data Protection Act 1998, and the disclosure of the information to a member of the public otherwise than under this Act would contravene-

- (i) any of the data protection principles; or
- (ii) section 10 of the Data Protection Act (right to prevent processing likely to cause damage or distress).

We are of the opinion that this exemption applies because the information you request constitutes personal data (as defined in the Data Protection Act) relating to third parties.

The First Data Protection Principle states:-

Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless -

- (a) at least one of the conditions in Schedule 2 is met, and
- (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.

The Schedule 2 conditions are not met. Condition 6(1) has particular application:-

The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.

The circumstances of your request do not demonstrate that you have any such legitimate interest in having these personal data disclosed to you.

Consequently disclosure would contravene the First Data Protection Principle as being neither fair nor lawful.

This exemption is an absolute exemption and therefore we are not obliged under the terms of the Act to provide you with the information requested.