



Privacy Notice Educational Psychology Service

Warrington Borough Council Educational Psychology Service works with children and young people when schools and other settings request further guidance to support progress.

Who Will Be Responsible For My Data Once It Is Collected?

Warrington Borough Council will be responsible for the data once it is collected.

Why Do You Need My Information?

The Department for Education's Special Educational needs Code of Practice published in 2014 and the Children's and Families Act 2014 underpins the statutory process for assessment for an EHC Plan. Within the Code, the graduated approach (5.40-5.48 EY and 6.61 Schools, 7.23 Colleges) details how SENCos should request the involvement of specialists to support them in meeting needs in settings. Educational Psychologists are named within these documents to support meeting the needs of children with SEN.

We work with school staff on an individual, small group, whole school basis. We support staff in education settings to problem solve and create bespoke solutions to difficult problems. We record this on consultation records or educational psychology reports and review them with school staff as necessary. This consultative process supports schools to create positive difference and supports them to act within a graduated approach to meeting needs. This evidence can then be used by schools as evidence of acting on outside advice supporting schools to access additional resources when appropriate. The Educational Psychology Service (EPS) is also responsible for writing psychological advice to support the process of assessment of Education, Health and Care (EHC) needs.

We collect and obtain your personal information for the following purpose(s):

- to identify children, young people and families who are eligible for help and support;
- to understand and meet the needs of children, young people and families;
- to ensure services across a range of organisations are coordinated and focussed on children, young people families with the most pressing and complex needs; and
- to participate in local and national research to assess how well the services are working in delivering better long term outcomes for children, young people and families and in making services more effective.
- This support can include the signposting to other agencies and/or referral to children's social care depending on the level of risk.

What Allows You To Use My Information?

Personal data:

The legal basis for processing your personal information in line with the General Data Protection Legislation is:

Article 6 (1).

(a) Consent: the individual has given clear consent for you to process their personal data for a specific purpose.

The Health and Care Professions Council require all practitioners to have consent from service users or other appropriate authority before they provide care, treatment or other services.

The Council may also process your data under

(c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).

(e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

Special category data:

Where we need to collect special category data, this is processed under

Article 9. (2)

(a) Explicit Consent: the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;

(h) Health or social care: processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;

Where we do use consent to process your personal data, we will explain to you what we are asking you to agree to and why.

What Type of Information Will Be Processed?

We will process both personal and special category data:-

The personal data includes:-

- name, address, contact details, date of birth

The special category data includes:-

- ethnicity, religion, medical information, gender
- reasons for support (such as concerns about learning, areas that require support and change)

Other information collected:-

- assessment and plan information (such as further details of barriers to learning, strengths and needs, interventions and next steps to support outcomes)
- images, video and audio recordings, digital and paper records that support our work with you.

We also obtain personal information from other Warrington Borough Council teams, external organisations and individuals including but not limited to:-

- Child and Adolescent Mental Health Services (CAMHS)
- speech and language therapy (SALT),
- occupational therapy (OT),
- extended family members,
- third sector organisations,
- police,
- various health sectors.

We only collect information that is pertinent to the client. The data we source is used to inform next steps and decision making regarding the allocation of further resources.

Who Will My Information Be Shared With?

Your information will be held by the EPS within the Council. Information will be shared internally within Warrington Borough Council and with those agencies that you have given permission to do so including but not limited to

- SaLT
- OT
- Community Paediatrics
- CAMHS
- Schools/settings
- Education teams with the local authority
- Other local authorities if you move

There may be certain situations where there is a requirement to share data or to provide services without consent for example where there is a safeguarding concern or where we are required by law for example as part of a court order.

Do I Have To Provide This Information And What Will Happen If I Don't?

While the council has a lawful basis to provide education psychology involvement, in order to access the service, the council requires a referral form. This informs us that you are aware of educational psychology involvement, in supporting your child's educational setting to create positive change through the application of psychology.

If we have consent to use your personal data, you have the right to remove it at any time. If you remove your consent the EPS service is unlikely to be able to provide continued services to you.

How Long Will You Keep This Data For And Why?

The information provided for the processes outlined above are retained in line with the Council's Retention Policy and Schedule. The retention period starts from the date the child or young person becomes known to the service. There is additional retention periods applied to specific categories such as special needs, children in need, child protection, children in care.

We will hold your personal information securely and retain it from the child /young person's date of birth until they reach the age of 25. For information relating to the statutory assessment process for EHCPs, we keep information for 6 years after the date of last involvement, which will go beyond the age of 25 for those young people supported between the ages of 20 and 25. After this time the information is made inaccessible to system users or securely destroyed.

Some personal information that is stored as part of a professional training process or for a specific intervention (such as Video Interaction Guidance) will be only be kept for the minimal amount of time necessary

You will be asked for consent for involvement in Video Interaction Guidance unless this work has been commissioned by social care where the data will be processed under a different lawful basis.

How Will My Information Be Stored?

The information will be stored on a secure database held by Warrington Borough Council.

What Rights Do I Have When It Comes To My Data?

Under the Data Protection Act 2018 (General Data Protection Regulation), you might have more rights about what happens with your data.

As different rights apply in different situations each request will be assessed on a case by case basis.

- 1. Right of Access (formerly Subject Access Request)** - you have the right under the Data Protection Act 2018 (General Data Protection Regulation 2018) to request a copy of your information and to know what it is used for and how it has been shared. This is called the right of subject access.

To request a copy of your data or ask questions about how it is used, please look at our [webpages on Requests for Information](#).

- 2. Right to be informed** – as detailed through this Privacy Notice.

3. **Right to rectification** – you have the right to have personal data rectified if it is inaccurate or incomplete.
4. **Right to erasure** – depending on the legal basis for processing your information, you could have the right to have personal data erased.
5. **Right to restrict processing** – depending on the legal basis for processing your information, you have the right to reduce or stop the processing of your data.
6. **Right to data portability** – depending on the legal basis for processing your information, you have the right to obtain and reuse any electronic data we hold about you.
7. **Right to object to processing** – where processing your personal information is required for the performance of a public interest task (see above), you have the right to object.

Who Can I Complain To If I Am Unhappy About How My Data Is Used?

If you are not satisfied with how your request has been dealt with, or if the information held about you is incorrect, you should email or write to Warrington Borough Council outlining your concerns.

If you then wish to make a complaint then please contact us using one of the methods below: Use the [online complaints form](#).

- Email us at contact@warrington.gov.uk
- Phone us on: 01925 443322
- Write to us at: Warrington Borough Council, East Annexe, Town Hall, Sankey Street, Warrington, WA1 1UH

You also have the right to complain to the Information Commissioner's Office using the following details: -

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Telephone: 0303 123 1113
Website: <https://ico.org.uk/>

Will This Information Be Used To Take Automated Decisions About Me?

We will not make automated decisions about you.

Will My Data Be Transferred Abroad and Why?

No, your information will not be transferred abroad