

## Privacy Notice – child and young person’s information as provided by Schools

### Who Will Be Responsible for My Data Once It Is Collected?

Warrington Borough Council is the Data Controller for the use of personal data in this privacy notice.

### Collecting child and young person’s information

Children and young person’s data is essential for the Local Authority’s operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain personal information to us or if you have a choice in this.

We collect child and young person’s information via encrypted file transfer from schools. The categories of child and young person’s information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision placements put in place)

This list is not exhaustive, to access the current list of categories of information we process please see - <https://www.warrington.gov.uk/privacy-policy>

### What Allows You to Use My Information?

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing child and young person’s information are:

- Article 6(e) – **Public task**: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law.
- Article 6(c) – **Legal obligation**: the processing is necessary to comply with the law.
- Article 9(g) – processing is necessary for reasons of **Substantial public interest**, on the basis of law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The personal data collected is essential, for the local authority to fulfil their official functions and meet legal requirements. We use child and young person's data to:

- a) enable us to carry out specific functions for which we are responsible
- b) derive statistics which inform decisions such as the funding of schools
- c) assess performance and to set targets for schools
- d) to meet the statutory duties placed upon us by the Department for Education
- e) Develop and improve services, including measuring how well the Council is doing
- f) Administer and protect public funds

## **Storing child and young person's data**

Information will only be held for as long as necessary to achieve the relevant purpose unless we are legally required to retain it for a specific period of time. It will only be held for the periods stated in our Record Retention Schedule, after which it will be destroyed.

## **Who Will My Information Be Shared With?**

We share pupil information with:

- Youth support services (pupils aged 13+)
- Youth Justice Services
- the Department for Education (DfE)
- Schools, Colleges and Post 16 training providers
- Partner organisations, where necessary, which may include health visitors, midwives, housing providers, police, school nurses, doctors and mental health workers
- NHS and commissioned health services/providers
- Teams within Warrington working to improve outcomes for children and young people
- Commissioned partner agencies or services acting on behalf of the local authority in undertaking statutory duties

This is not an exhaustive list, so could include other agencies relevant to you or your families' circumstances.

## **Why we regularly share child and young person's information**

Sharing arrangements are operated in line with information sharing agreements agreed between all parties and/or having undertaken a data protection impact assessment. We do not share information about children or young people with anyone without consent unless the law and our policies allow us to do so.

## **Education and training**

We hold information about young people living in our area, including about their education and training history. This is to support the provision of their education up to the age of 20 (and beyond this age for those with a special educational need or disability). Under parts 1 and 2 of the Education and Skills Act

2008, education institutions and other public bodies (including the Department for Education (DfE), police, probation and health services) may pass information to us to help us to support these provisions.

## **Department for Education (DfE)**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children and young people with the Department for Education (DfE) for the purpose of those data collections, under:

- section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

## **Requesting access to your personal data**

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the Data Protection Officer via [dpo@warrington.gov.uk](mailto:dpo@warrington.gov.uk)

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

## Contact

If you would like to discuss anything in this privacy notice, please contact the Data Protection Officer via [dpo@warrington.gov.uk](mailto:dpo@warrington.gov.uk)

If you need to get in touch with us via other methods, you can do so via: -

- Our online form
- Visit us at: Contact Warrington, 1 Time Square, Warrington, WA1 2NT
- Write to us at: Contact Warrington, East Annexe, Town Hall, Sankey Street, Warrington, WA1 1UH
- Phone us on: 01925 443322

## Will This Information Be Used to Take Automated Decisions About Me?

No, your information will not be used to make any automated decisions.

## Will My Data Be Transferred Abroad and Why?

No, your data will not be transferred outside of the UK.

## How Government uses your data

The pupil data that we lawfully share with the Department for Education (DfE) through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

## Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education (DfE) and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department for Education (DfE).

It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

## Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for

Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfе-external-data-shares>

## **How to find out what personal information the Department for Education (DfE) hold about you**

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>