

General Data Protection Regulation (GDPR)

Privacy Notice – Education Welfare Service School attendance records including information relating to issuing of Penalty Notices and prosecutions, case work records relating to school attendance and elective home education, children missing education, school exclusions, pupils unfit to attend school for medical reasons, regulation of child employment and children in entertainment and licensing adult chaperones for child performers

Who is the Data Controller for the information you provide?

Halton Borough Council is the Data Controller for the personal information you provide. The Council's Data Protection Officer can be contacted on 0151 511 7002 or by email to Jonathan.Greenough@halton.gov.uk

The information we collect about you will also be used for the purpose of supporting the planning & delivery of Education Welfare Services to meet the needs of children and families referred to the service.

Why do you need my information?

The Education Welfare Service is responsible for discharging statutory duties on behalf of Halton Borough Council and providing a traded service to schools. This includes:-

- Ensuring regular school attendance including legal action
- Addressing problems relating to absenteeism and non-school attendance
- Elective Home Education
- Children Missing Education
- Arranging and monitoring education for pupils medically unfit to attend school
- Arranging education for pupils permanently excluded from schools from the sixth day
- The administration and analysis of exclusion data on behalf of Halton Borough Council

The service also delivers:

- Regulation of child employment and children in entertainment
- Licensing adult chaperones for child performers

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What legal basis allows you to use my information?

The legal basis for the processing of your information is public task to comply with our legal obligations under the following legislation:

- Education Act 1996 (as amended)

- Section 436A of the Education Act 1999 as amended by section 4 of the Education and Inspections Act 2006
- Children and Young Persons Act 1933
- Local Authority Employment of Children Bye Laws 1998

The basis for processing special category (sensitive) personal data about you is substantial public interest, on the basis of the legislation referred to above.

Do I have to provide this information and what will happen if I don't?

We collect the following types of personal data about children and families to enable to local authority to comply with its statutory duties towards your child.

- Name
- Address
- Date of birth
- Attendance data
- Unique Pupil Number
- School exclusion data
- Information about your health and that of your children
- Information from other local authorities
- Information from other professionals working with children and families
- Child and adolescent mental health services (CAMHS)
- Schools and education services
- Other local authority services including children's social care

If you chaperone child performers, we collect:

- Name
- Address and contact details
- References & information about your work experience
- Images and photographs
- We also require a Disclosure & Barring Service check.

You will be required to provide this information to enable us to process an application for a matron licence. You do not have to provide it, but if you don't then we will be unable to process your application.

Do we use information received from other sources?

Yes. To provide this service, we collect information directly from you but also receive information from the following sources:

- Drug and alcohol services
- Housing Services
- Probation Service
- GP practices and Health services
- Other council services

We will only share information with the above services with consent from parents. Parents will be asked to complete a consent form to enable us to do so. The exception to this is when we will share information without consent to safeguard a young person.

Who will my information be shared with?

We share your information only when there is a need for us to do so. When we share information, we provide the minimum necessary in each case to the following recipients:

- Schools and education services
- GP practices and health professionals, including school nurses
- Children's Services
- Other local authorities
- Drug and alcohol services
- Housing Services
- Probation Service
- Other council services
- HM Court Service

We will not give information about you to anyone outside of Halton Borough Council without your consent unless required to do so by law in delivering our statutory functions, or such actions are necessary for safeguarding children or to deliver the services which you have requested.

Pseudonymised (non-person identifiable) data may be shared for research purposes with some parties (e.g. Police Services) for the purpose of supporting Children and young people.

How long will you keep this information for and why?

The information you provide will be held by Halton Borough Council. We will keep personal data on the children and families referred to the Education Welfare Service until 31st August following the individual's 25th birthday, unless where SEN or social care retention rules apply.

Information on child performance and work permit applications is kept for 2 years after entitlement lapses.

How will my information be stored?

Your information will be securely stored on the Management Information System used by the Council to store data on pupils which includes data relating to the work of the Attendance and Behaviour Service. Currently this is the Synergy Servelec system, but this may change should the Council change its IT provider at any time in the future.

Interviews under caution are recorded and stored securely on CDs as part of the council's statutory legal process. Parents are able to request a copy of the recording.

Will this information be used to take automated decisions about me?

No

Will my data be transferred abroad and why?

No

What rights do I have when it comes to my data?

Right to be informed – through this Privacy Notice

Right to rectification – you have the right to personal data rectified if it is inaccurate or complete – in certain circumstances timescales will apply due to statutory deadlines for processing school applications.

Right of Access

You have the right under the Data Protection Act 1998 (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 download a copy of our form from <https://www4.halton.gov.uk/Pages/councildemocracy/Data-Protection.aspx> and send it to Information Governance Service, Halton Borough Council, Service Improvement Division, Municipal Building, Widnes, WA8 7QF. Or email informationgovernanceservice@halton.gov.uk

Right of Erasure

Under Article 17 of the UK GDPR individuals have the right to have personal data erased. This reflects the enhanced protection of a child's information and is also known as the 'right to be forgotten'.

The right is not absolute and only applies in certain circumstances. Individuals can make a request for erasure of a child's personal data – to include images and/or evidence of work, learning or education verbally or in writing. This is still the case when the data subject is no longer a child, as a child may not have been fully aware of the risks involved in the processing at the time of consent. The Local Authority have one month to respond to a request. This right is not the only way in which the UK GDPR places an obligation on the Local Authority to consider whether to delete personal data.

Who can I complain to if I am unhappy about how my data is used?

You can complain directly to the Council's Data Protection Officer by writing to: Data Protection Officer, Information Governance Service, Halton Borough Council, Municipal Building, Widnes WA8 7QF'. 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: 08456 30 60 60 or 01625 54 57 45. Website: www.ico.org.uk