

Privacy Notice

How Halton Borough Council uses child and young person's information as provided by schools

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

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, leaving reason and destination);
- 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); and
- free school meal management.

Why we collect and use child and young person's information

We collect and use pupil information under the General Data Protection Regulations – GDPR.

Article 6 - 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.

Article 9 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; and
- d) to meet the statutory duties placed upon us by the Department for Education

Collecting child and young person's information

We collect child and young person's information via encrypted file transfer from schools.

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 and we will tell you what you need to do if you do not want to share this information with us.

Storing child and young person's data

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please email the informationgovernanceservice@halton.gov.uk.

The following policies are in place to govern the data retention and security for individual child and young person's data held by Halton Borough Council.

Records Retention Policy

Information Security Policy

Who we share child and young person's information with

We routinely share pupil information with:

- the Department for Education (DfE);
- NHS;
- Schools, Colleges and Post 16 training providers

Why we regularly share child and young person's information

We do not share information about our children or young people with anyone without consent unless the law and our policies allow us to do so. These arrangements are operated in line with information sharing agreements agreed between all parties.

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.

Education or training

We hold information about young people living in our area, including about their education and training history. This is to encourage participation and to support the provision of their education or training 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/training 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

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 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 or email the informationgovernanceservice@halton.gov.uk.

Depending on the lawful basis above, you may also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to seek redress, either through the ICO, or through the courts.

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 DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where consent has been obtained from you, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the service you provided your information to.

Contact

If you would like to discuss anything in this privacy notice, please contact the Data Protection Officer 0151 711 7002 or email informationgovernanceservice@halton.gov.uk.

How Government uses your data

The pupil data that we lawfully share with the 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); and
- 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 (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 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.

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

The law allows the Department 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; and
- organisations fighting or identifying crime.

For more information about the Department's 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 DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department 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/dfe-external-data-shares>

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- 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; and
- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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 DfE: <https://www.gov.uk/contact-dfe>

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