

# Privacy Notice – Education Excellence School Support Services

## Introduction

This Privacy Notice explains types of personal information we may collect about you when you interact with us. It also explains how we will store and handle that information, as well as keep it safe and secure.

We will keep our privacy notice under regular review and will advise you of any updates on our website.

## 2. Who we are

The School Support Service works with Schools and Academies to provide support to children and their families in connection with school attendance and accessing education. Support to families is usually advice and guidance and in extreme cases legal action.

The School Support Service have a responsibility to monitor children missing from education, child employment and entertainment licences, chaperone approval and school exclusions.

The Schools Support Service has a range of statutory and discretionary responsibilities. Enforcing school attendance is part of the of the School Support Service using Penalty Notice Warnings, Penalty Notices and Court Action.

For the purposes of Data Protection legislation, Sefton Council is registered as a Data Controller with the Information Commissioner's Office (Registration number-Z6451588). Further details can be found via the Information Commissioner's Office website <https://ico.org.uk>.

## 3. What type of personal information do we collect?

In order to effectively and efficiently process requests for Penalty Notice Warnings, Penalty Notices, Court Documents, School Exclusion, Children Missing Education, Electively Home Educated Children, Child Employment, Entertainment and Chaperone Approval, the following information is collected:

- Name
- Address
- Date of Birth
- Gender
- Ethnicity
- Contact number
- Email address

- Details of school absence and attendance
- Education Provision
- Medical information
- Details of parent/carer including contact number, email address, address
- Additional information in support of referrals/applications which can include any detail from the referrer/applicant

#### **4. How do we collect personal information?**

We may collect your personal information in a number of ways, for example:

- Referrals from schools/academies
- Applications from entertainment production organisations
- In person, by telephone or in writing - e.g. letter or email
- Family members acting on your behalf
- In writing - for example letter or email
- Online application forms
- Information from another internal department
- Information from an external agency
- Solicitors acting on your behalf
- Enquiries received from the following organisations:
  - Disclosure and Barring Service (DBS)
  - Police forces
  - Home Office
  - HMRC
  - NHS e.g. GP, Consultant, School Nurse

#### **5. Why we need your personal information and how we use it (purpose and legal basis)**

We collect and hold personal information relating to children, young people, parents, carers, and other family members. We also receive information from schools, academies, other local authorities, health and social care providers and the Department for Education (DfE).

We need to confirm your identity when processing an Enhanced DBS check with Disclosure and Barring Service, when we process child entertainment and chaperone approval requests so may need to collect photographic ID such as a passport or driving licence. We will also need to confirm your address so will need a copy of a utility bill containing your personal information.

We may also need to know any relevant personal information that is relevant to your request in order to help locate any records we hold on you.

We also receive enquiries from various organisations listed in section 4 above who will provide personal details of the individuals they are making enquiries about.

The Council relies on Article 6 (1) (c) of the UK GDPR where the processing is necessary to comply with our legal obligations and Article 6 (1) (e) to process your personal data where it is necessary for the performance of a task carried out in the

public interest or in the exercise of official authority vested in the Council. Including but not limited to duties and powers under:

The Children and Families Act 2014  
The Equality Act 2010,  
The Education Act 1996  
The Criminal Justice Act 1967  
The Children and Young Persons Act 1933,1963  
The Children (Performance and Activities) (England) Regulations 2014  
The Children Act 1989, 2004  
The Health & Social Care Act 2012  
The Education Regulations 2013  
The Children and Social Work Act 2017  
The Mental Capacity Act 2005  
Mental Health Act 1983  
Local Safeguarding Children & Adults Boards Regulations 2006 (SI 2006/90)  
The Localism Act 2011  
The Crime and Disorder Act 1998  
The Welfare Reform Act 2012  
The Childcare Act 2006

Article 6(3) of the GDPR: the basis for the processing is laid down in law. The Council relies on its powers under the above-named legislation in order to process your personal data.

Section 8(c) of the Data Protection Act 2018: personal data that is necessary for the performance of a task carried out in the public interest or in the exercise of the controller's official authority includes processing of personal data that is necessary for (c) the exercise of a function conferred on a person by an enactment or rule of law.

With regard to processing of special categories of personal data, the Council relies on the following lawful bases:

Article 9 (2) (b) which gives the Council a lawful basis for collecting and using personal data where the processing is necessary for employment, social security and social protection law

Article 9 (2) (g) which gives the Council a lawful basis for collecting and using personal data where the processing is necessary for reasons of substantial public interest in order to comply with the law

Article 9 (2) (h) which gives the Council a lawful basis for collecting and using personal data where the processing is necessary for the provision of health or social care

Schedule 1, Part 2, paragraph 6 of the DPA: the processing of special category personal data is necessary for reasons of substantial public interest and necessary for the purpose of 'the exercise of a function conferred on a person by an enactment or

rule of law' or 'the exercise of a function of the Crown, a Minister of the Crown or a government department.'

## 6. Who might we share your personal information with?

To enable Sefton Council to provide effective joined-up social care and/or health partners and/or education providers we may share personal information.

- Other Internal Council departments
- Other local authorities (education, social care and other relevant services)
- Employees and governing bodies of schools including non-maintained special schools, colleges and sixth form schools and academies.
- Employees of entertainment production organisations and entertainment agencies
- All early year's providers in the maintained, private, voluntary and independent sectors.
- CAMHS tier 4 establishments
- National Health Service including GP's, School Nurse Service and Consultants
- Youth Offending Teams and relevant youth custodial establishments
- Other third-party organisations as allowed by law
- Organisations who are contracted by the Council to carry out work on our behalf.
- Agencies with whom we have a duty to cooperate with such as the police.
- Language translation services, where it is necessary to translate information into or from a foreign language.
- Solicitors, advocates or other support services nominated by you to assist you
- Local Government Ombudsman and other regulatory authorities and auditors
- Border Agency
- HMRC

### Sharing without your knowledge

In certain limited circumstances the Council is permitted to share your personal data without your knowledge. This is principally where the information is needed for:

- the prevention and detection of a crime including fraud.
- the apprehension or prosecution of offenders.
- the assessment or collection of tax or duty.

The Council will still refuse to release personal information if it feels the request is not compliant with the requirements of the General Data Protection Regulation, or if it determines the request is not fair or lawful.

We do not pass personal information to third parties for marketing, sales or any other commercial purposes.

## 7. How long will we keep your personal information?

Data will be kept in identifiable form for no longer than necessary as required for the purposes described. Following that, it will be securely deleted or anonymised if it is still required for ongoing statistical and trend analysis purposes.

## 8. How do we keep your personal information secure?

Your personal information is held on the Council's secure network and within our Supporting Schools Service electronic systems for the purpose of assessing, monitoring and processing referrals and applications.

Your personal information is protected using up to date technical and organisational security measures.

## 9. Is your personal information used overseas?

In limited circumstances, where a child missing education may be overseas.

## 10. Your data rights

### Right to be informed

This Privacy notice is a way of informing you of how your personal data is used under data protection legislation.

### Rights of access to personal data

You have the right under data protection legislation to access your personal information.

You 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
- right to data portability in certain circumstances
- The right to lodge a complaint with the supervisory authority (the Information Commissioner's Office)

To make a request for your personal information or to exercise any of your rights as set out above, please complete the Individual's Rights Form found at the following link on our website:

[Privacy policy \(sefton.gov.uk\)](https://www.sefton.gov.uk/privacy-policy)

The accuracy of your personal information is important to us. If you change your address, email address, contact number, or any of your circumstances change or any of the other information we hold is inaccurate or out of date, please contact us.

## 12. Further information

If you would like further information about this privacy notice, please contact Sefton Support Services at the following email address: [welfare.officers@sefton.gov.uk](mailto:welfare.officers@sefton.gov.uk) or call us on 0151 934 3359

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance. If we have been unable to help with your enquiry or you are unhappy about the way we have handled your personal data, you can contact the Information Commissioner at <https://ico.org.uk/concerns/> and can provide more information on the rights available to you.

Sefton's Data Protection Officer can be contacted at:

Telephone: 0345 140 0845

E-mail [ino.information@sefton.gov.uk](mailto:ino.information@sefton.gov.uk)

### Your right to make a complaint

Details about how you can make a complaint can be accessed via the website at the following link:

[Compliments, Comments, Complaints and Whistleblowing Policy \(sefton.gov.uk\)](#)