

PRIVACY NOTICE

PART 1

This privacy notice applies to **information the Local Authority (LA) collects from Schools.**

<p>WHY IS THIS NOTICE BEING SENT?</p>	<p>The General Data Protection Regulations (GDPR) replaces the Data Protection Act 1998 on 25 May 2018. The LA is now required to tell all data subjects:</p> <ul style="list-style-type: none"> • what data is being collected • what purpose data is used for • whom the data is shared with • the lawful basis for holding your data • how long we will keep your data • your individual rights under GDPR.
<p>PURPOSE FOR HOLDING DATA</p>	<p>Please see part 2 for a full list of data the LA holds/collects/shares.</p>
<p>YOUR CHOICES</p>	<p>You have the right to see the information that we have about you and to get any mistakes corrected. See Part 3 requesting access to your personal data.</p>

DATA THE LOCAL AUTHORITY HOLDS/ COLLECT/SHARES FROM SCHOOLS

PART 2

CATEGORY OF DATA

PUPIL INFORMATION

Shropshire Council collects and processes information on children and young people. This information includes:

- personal information (such as name, unique pupil number and contact details)
- characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- national curriculum assessment results
- attendance information (such as sessions attended, number of absences and absence reasons)
- exclusion/behavioural information
- special educational needs
- any relevant medical information
- any accident/incident data regarding pupils
- for pupils enrolling for post 14 qualifications, the Learner Records Service will give us unique learner number (ULN) and may also give details about learning and qualifications
- pupils mode of travel to school to assist with School Travel Plans and seeking help address local road safety issue
- information that the LA needs in order to support young people to participate in education and training and to track their progress e.g. post 16 destination information

PURPOSE FOR HOLDING DATA

Shropshire Council uses this information to:

- enable us to carry out specific functions for which we are responsible for
- derive statistics to inform decisions such as the funding of schools
- assess performance and set targets for schools in order to support teaching and learning and to monitor and report on progress.

Shropshire administers the Shropshire youth, learning and skills. Shropshire Council holds information about young people living in our area, including 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 special educational need or disability). This information is held on a National Client Caseload Information System (NCCIS) approved database that is encrypted and password protected.

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 to support these provisions.

For pupils aged 13 and over, schools are legally required to pass contact information to the LA support services for young people as we have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996 and schools and colleges have a duty to provide information under Section 14 of the Education and Skills Act 2008. A parent/guardian can request that only their child's name, address and date of birth is passed to their provider of youth support services by informing the school. This right is transferred to the child/pupil once they reach the age 16.

For pupils aged 16 and over, the LA support services for young people collects information about pupils not in education, training or employment (such as their contact details) as they have responsibilities in relation to the education and training of 13-19 year olds under section 507B of the Education Act 1996 in order to provide services relating to post 16 education and training, youth support services and careers advice.

LAWFUL BASIS ON WHICH THIS DATA IS USED

Shropshire Council collects and uses personal information in order to meet our legal obligations set out in Data Protection legislation, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- The Education (Information About Individual Pupils) (England) Regulations 2013.

The Education Act 2002 and the Children's Act 2004 place a duty on LAs and their partners to co-operate in promoting the well-being of children and young people and to make arrangements to safeguard and promote the welfare of children. The Education and Skills Act 2008 places a duty on all schools, colleges and other state funded educational institutions to continue to provide relevant information about all pupils to LA support services.

Whilst the majority of children and young person's information provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

WHO THIS DATA IS SHARED WITH

We do not share information about our pupils with anyone without consent unless there is a legal basis for doing so. Shropshire Council may share information about individuals where this is likely to enable a beneficial intervention from the other public sector agencies.

We routinely share pupil information with:

1. The **Department for Education (DfE)** - including agencies that are prescribed by law, such as the
 - o Standards and Testing Agency
 - o Ofsted
 - o Education and Skills Funding Agency including the Individualised Learner Record Service).

on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

This data sharing underpins school funding, educational attainment policy and monitoring and enables them to produce statistics, assess our performance, determine the destinations of young people after they have left school or college and to evaluate Government funded programmes.

(further information is available via <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>).

The National Pupil Database (NPD) is owned by the 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. The law requires Shropshire Council to provide information about our pupils to the DfE as part of statutory data collections. Some of this information is stored on the national pupil database. To find out more about the NPD go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The Department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by conducting research or analysis, producing statistics and providing information, advice or guidance. The Department has robust processes in place to ensure confidentiality of our data is maintained and there are stringent controls in place regarding access and use of data. For more information about the departments data sharing process, please visit <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

2. The **Department of Health (DH)** – Shropshire Council also shares information with the local healthcare trusts as follows:

- Shropshire Community Health NHS Trust;
- South Staffordshire and Shropshire Healthcare NHS Foundation Trust;
- Birmingham Community Healthcare NHS Foundation Trust
- Shrewsbury and Telford Hospital NHS Trust.

who use information about pupils for research and statistical purposes, to monitor the performance of local health services and to evaluate and develop them. It is necessary for certain information about children (such as their names and addresses) to be shared with those trusts who are required by Public Health England to oversee immunisation programmes as well surveys relating to height and weight, dental and vision screening.

Any such surveys will still require the consent of a parent for the survey to be undertaken. This is administered by the school in which they attend.

Public Health England (PHE) now leads on public health nationally, on behalf of the DH and responsibility for local public health now rests within Shropshire Council. The DH uses aggregated information (at school year group level) about pupils' height and weight for research and statistical purposes, to inform, influence and improve health policy and to monitor the performance of the health service as a whole. In order to help the NHS and the DH maintain a good understanding across the country of how children are growing, so that the best possible health services can be provided for them, all children in England in reception year and Year 6 have their height and weight checked annually. This important public health programme aims to help deliver a reduction in obesity, which is a government priority to be achieved through new local Health and Well Being Boards (HWBBs).

The programme is delivered through schools and the measurements are supervised by trained staff from your local NHS Trust. Routine data, such as child's name, gender, address, postcode, ethnicity and date of birth, will also be collected. This information will then be used within the NHS to help understand and plan interventions in order to promote health improvement. The NHS Trust may store the information on your child's health record, however, no child's height or weight measurements will be given to school staff or other children. The records of children's heights and weights will be submitted for analysis in a way that means your child cannot be directly identified.

All of these organisations are 'data controllers' for the information they receive and the data must only be used for specific purposes allowed by law.

PERIOD DATA STORED	
Shropshire Council holds children and young person's data for various periods of duration as determined by the Council's Retention Policy.	
REQUESTING ACCESS TO YOUR PERSONAL DATA	PART 3
Under data protection legislation parents/carers and pupils have the right to request access to information about them that the LA holds. This is called a subject access request . To make a request for your personal information contact us at information.request@shropshire.gov.uk or telephone 0345 678 9000 and ask for Information Governance.	
YOU ALSO HAVE THE RIGHTS TO:	
You have the right:	
<ul style="list-style-type: none"> • to rectification of the record; • to erasure of their data (where appropriate); • to restrict processing (where appropriate); • to data portability (where appropriate); • to object to processing (where appropriate); • not to be subject to automated decision-making including profiling (where appropriate). 	
If you have a concern about the way the LA are collecting or using your personal data, please raise the concern with the LA in the first instance. alternatively, you can contact the Information Commissioners officer at https://ico.org.uk/concerns/	
If you would like to discuss anything in this privacy and consent notice, please contact us at information.request@shropshire.gov.uk or telephone 0345 678 9000 and ask for Information Governance.	