

Privacy notice – Education

Who we are?

Shropshire Council is the local government authority for Shropshire. Our address is: Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND. You can contact our Data Protection Officer on: 01743 252774 or by email at:

information.request@shropshire.gov.uk

How do we collect information from you?

We collect information from you when you visit the Shropshire Council website also when you contact us in writing, speak to us on the phone, by email or any other type of electronic communication, or talk to us face to face.

What types of information do we collect from you?

We collect different categories of information about you, depending on the service you want from us and/or the reason why we need to process information relating to you. This could be personal information (for example your name and address), or other more sensitive data that we would only collect and use in very particular circumstances that are set out in law.

Details of information obtained from third parties?

The local authority collects information from schools, other local authorities and education agencies.

How is your information 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 local authorities 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 local authority support services.

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, and free school meal eligibility)
- special educational needs

- attendance (such as sessions attended, number of absences and absence reasons)
- assessment and attainment
- behavioural information (such as exclusions)
- any relevant medical information
- any accident/incident data regarding pupils
- pupils mode of travel to school to assist with School Travel Plans and seeking help address local road safety issues
- 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
- information that the local authority needs in order to support young people to participate in education and training and to track their progress e.g. post 16 destination information.

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.

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
- to meet the statutory duties placed upon us by the Department for Education.

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 a 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, 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 local authority 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 age 16.

For pupils aged 16 and over, the local authority 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.

Research and statistics

Anonymised and pseudonymised data may be used for research and statistical purposes. Any data collected may be used for research and statistical purposes that are relevant and compatible with the purpose that the data was collected for.

Who has access to your information?

We may share your information with the following third parties for the reasons detailed.

The **Department for Education** - including agencies that are prescribed by law, such as the

- Standards and Testing Agency
- Ofsted
- 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.

Certain information is also shared with other local authorities and public sector agencies including those responsible for youth support services where there is a legal obligation to do so.

This data sharing underpins school funding, informs educational policy monitoring and school accountability and intervention. This also includes the research into 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 is owned 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. The law requires us 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 National Pupil Database go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The Department for Education may share information about our pupils from the National Pupil Database 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. They have 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 Department's data sharing process, please visit <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data> .

The information we share with the **Department for Health** confirms which school children are attending (or have been allocated via the school applications process) to assist in planning the respective Public Health programmes detailed below.

NHS England has responsibility within the NHS by section 7A of the National Health Act 2006 and agreements made under it for the commissioning of a Child Health Information System services and systems.

Birmingham Community Healthcare NHS Foundation Trust (BCHCFT) is commissioned to maintain the Child Health Information System, as data processor on behalf of NHS England as the data controller.

Public Health England (PHE) now leads on public health nationally, on behalf of the Department for Health and responsibility for local public health now rests within Shropshire Council.

Both BCHCFT and Shropshire Council have a statutory obligation to support the delivery of a healthy child programme and the sharing of data ensures that service delivery is efficient in front line delivery, and therefore provides the best outcomes for children. The sharing of data with the NHS is required:

- to enable the mandatory and statutory recording and reporting of Child Health data.
- to assist with checking that children of statutory school age living in the local authority are known to the local authority, GP's and BCHCFT
- to assist the Named Nurse for Looked After Children in ensuring all Looked After Children have a complete immunization status.

Health screening services in Shropshire schools are provided by:

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

These NHS trusts use information about pupils for planning and delivering a range of health services delivered at school. These include, vision screening, dental health surveys, height and weight measurements, school nursing and inoculation programmes.

School nursing and inoculation programmes

Public Health are responsible for all childhood immunisations as per national guidance as detailed in The Green Book 2006 and by Public Health England. There are a number of national immunisation programmes in the UK where the target population is school aged children. These aim to protect individuals from diseases such as cervical cancer, diphtheria, polio, tetanus, meningococcal disease (serogroups ACWY), and influenza.

Child Height and Weight Measurements

All local authorities in England are required to collect information on the height and weight of Reception and Year 6 school children as part of the National Child Measurement Programme. This data is used locally to inform the planning and delivery of health improvement services for children, and nationally to monitor trends in child obesity and support local public health initiatives.

The official authority for National Child Measurement Programme is provided by the Local Authority (Public Health Functions and Entry to premises by Local Healthwatch

Representatives) Regulations 2013 and The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

As part of the National Child Measurement Programme, the height and weight of individual pupils may be provided to the child and its parents and this will require health services to maintain details of pupils' names for this purpose for a period designated by the Department of Health following the weighing and measuring process. No child's height or weight measurements will be given to school staff or other children.

Dental Health Surveys

All local authorities in England are required to undertake dental surveys as part of a programme of work to help improve the dental health of people in their area. The official authority for dental health is provided by the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

Guidance on the management of dental surveys among 5 year old children in primary schools is published by Public Health England.

Vision Screening Programme

As part of a Healthy Child Programme administered by Public Health, the local authority is required to carry out Vision Screening for reception aged children by commissioning specially trained Orthoptists to test Childrens eyes to ensure that any eye defects are detected before a child is 6 years old. This enables timely intervention which gives children a chance at achieving their full visual potential, to promote good eye care, reduce health inequalities and improve the provision of treatment services.

Parental right to withdraw

Parents or those with parental authority will be provided with the opportunity to withdraw their children from any of these programmes. This is administered at the school which they attend or direct from the health service.

The information we share, taken from School Applications and School Census data, includes the pupil name, date of birth, address, gender, name of school or allocated school and ethnicity and pupil reference number.

Lawful basis for sharing

The lawful purpose for processing children's data for the purpose of health programmes is considered to be provided by:

- GDPR Article 6(1) (c) – processing is necessary for compliance with a legal obligation
- GDPR Article 6(1) (e) - processing is necessary for the performance of a task carried out in the public interest or in the exercise of official duty
- GDPR Article 9(2) (h) - processing is necessary for medical diagnosis, the provision of health or social care treatment or the management of health or social care systems.

As a result of health services the NHS may need to store information in your child's health record.

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

We will not sell or rent your information to third parties. We will not share your information with third parties for marketing purposes.

What are your rights in relation the personal data we process?

Access – you can request copies of any of your personal information that is held by the Council.

Rectification – you can ask us to correct any incorrect information.

Deletion – you can ask us to delete your personal information. The Council can refuse to delete information if we have a lawful reason to keep this.

Portability – you can ask us to transfer your personal data to different services or to you in some circumstances.

Right to object or restrict processing – you have the right to object to how your data is being used and how it is going to be used in the future.

Right to prevent automatic decisions – you have the right to challenge a decision that affects you that has been made automatically without human intervention, for example an online form with an instant decision.

How long will we keep your information for?

We keep and dispose of all records in line with our corporate retention schedule. We will comply with Data Protection legislation in regards to how long we keep your data.

What security precautions in place to protect the loss, misuse or alteration of your information?

We are strongly committed to data security and will take reasonable and appropriate steps to protect your personal information from unauthorised access, loss, misuse, alteration or corruption. We have put in place physical, electronic, and managerial procedures to safeguard the information you provide to us. However, we cannot guarantee the security of any information you transmit to us. We recommend that you take every precaution to protect your personal information.

Keeping your data up to date

We want to ensure any information we hold is accurate. You can help us by promptly informing us of any changes to the information we hold about you.

Details of any automated decision processes

Include details as relevant. The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences.

Under 13

If you are accessing online services and are under the age of 13, please get your parent/guardian's permission beforehand whenever you provide us with personal information.

Cookies & IP addresses

What are Cookies and why are they used?

Cookies are small text files which identify your computer to our servers. They are used to improve the user experience. View what cookies we use and how you can manage them at <https://shropshire.gov.uk/website-information/use-of-cookies/>

Complaints

If you would like to make a complaint regarding the use of your personal data you can contact our Data Protection Officer;

By Post: Information Governance
Shropshire Council,
Shirehall,
Abbey Foregate,
Shrewsbury,
SY2 6ND

By phone: 01743 252774

By email: information.request@shropshire.gov.uk

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO):

By Post: Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

By phone: 0303 123 1113 {local rate) or 01625 545 745 if you prefer to use a national rate number

Alternatively, visit ico.org.uk or email casework@ico.org.uk