

Privacy Notice

This document describes how and why we collect, store, protect, process and share the data you give to us. We collect personal data to help us to monitor pupils on Reduced Timetables, Pupils At Risk of exclusion (PAR), pupils participating in the Fresh Start program and to assist the Pupil Placement Panel (PPP) assess best academic settings for pupils.

Date of Issue: 2nd October 2020

Update History:

Version 1	First issue of a new Privacy Notice
Version 1.1 13 April 2022	Minor amendment to contact details of the Data Protection Officer

Directorate: Communities Service:
Education

Team: Exclusions Team

About the Organisation

West Berkshire Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire Council
Market Street
Newbury
Berkshire
RG14 5LD

ICO Registration Number: **Z6825178**
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

The Data Protection Officer

Contact details for the Data Protection Officer at the Council can be found at:
www.westberks.gov.uk/dpofficer

What data will we collect about you?

Reduced Timetables

The November 2013 Ofsted report recommends that each local authority should establish a central record of all children not accessing full-time education in the usual way.

The Authority requests schools submit a record of the child or young person (CYP) who are on a reduced timetable. This is sent in the format of a termly spreadsheet which includes:

- The name, Date of Birth and age of the CYP
- The home address of the CYP
- Details of the reduced timetable including the number of hours they are attending school and the reason for the reduced timetable
- Details of other interventions/ agencies working with the CYP
- The school/educational institution the CYP is attending

The Local Authority also asks the school to send a copy of the Reduced Timetable Plan which is completed by you and the school. This includes

- The name, Date of Birth and age of the CYP
- The home address of the CYP
- Details of the Reduced Timetable provision

Pupil Placement Panel (PPP)

A child or young person (CYP) who meets the criteria for the Pupil Placement Panel as set out in the West Berkshire Fair Access Panel is referred by the school to be considered by the panel in the format of a PPP Request for Involvement form. This is completed by you and the school and passed to the council.

- The name, Date of Birth and age of the CYP
- The home address of the CYP
- Contact details of parent/legal guardian (postal address, phone number, email)
- The school/educational institution the CYP is attending
- The parents preferred new school/educational institution
- Attainment information such as reading and spelling age
- Details of interventions implemented in the school
- If the CYP receives Pupil Premium funding
- If the CYP is a Looked After CYP
- If the CYP has an EHC plan
- If the CYP is a carer
- Details of previous exclusions
- If other agencies have been involved with the CYP such as the Educational Psychology Service (EPS)
- The reason for the school requesting a change in academic placement
- The strengths and interests of the CYP
- The views of the CYP on the situation

From other teams and agencies such as Education Welfare Team and Youth Offending Team the Council may collect a report outlining their involvement.

Pupils At Risk (PAR)

In termly discussions with the School Heads or Pastoral Leads PAR is discussed and the following information recorded:

- The name, Date of Birth and age of the CYP
- The school/educational institution the CYP is attending
- Attainment information such as reading and spelling age and projected grades
- Details of behaviour concerns of the CYP both inside and outside school
- Details of behaviour interventions implemented in the school
- If the CYP receives Pupil Premium funding
- If the CYP is a Looked After CYP
- If the CYP has an EHC plan
- If the CYP is a carer
- Details of previous exclusions
- If other agencies have been involved with the CYP such as the Educational Psychology Service (EPS), Education Welfare Service (EWS) and Youth Offending Team (YOT)
- The reason for the school requesting support with the CYP
- The strengths and interests of the CYP

Fresh Starts

Once a Fresh Start has been agreed for the CYP to move from one school to another the Local Authority takes on a supportive monitoring role. A Fresh Start agreement will have been drawn up between the parent, both schools and the CYP. A copy of this this will be sent to the Local Authority for information and monitoring purposes only. This agreement will include the following information:

- The name, Date of Birth and age of the CYP
- The reason for the Fresh Start
- The school/educational institution the CYP is attending
- Attainment information such as reading and spelling age and projected grades
- Details of behaviour concerns of the CYP both inside and outside school
- Details of behaviour interventions implemented in the school
- If the CYP receives Pupil Premium funding
- If the CYP is a Looked After CYP
- If the CYP has an EHC plan
- If the CYP is a carer
- Details of previous exclusions
- If other agencies have been involved with the CYP such as the Educational Psychology Service (EPS), Education Welfare Service (EWS) and Youth Offending Team (YOT)
- The reason for the school requesting support with the CYP
- The strengths and interests of the CYP

What will we use your data for?

Reduced Timetable

The Local Authority collects data about the CYP to monitor agreed plans and ensure that all relevant agencies such as SEN, Psychology Service (EPS) and Education Welfare Service (EWS) are aware of the provision.

Pupil Placement Panel (PPP)

The Local Authority will provide the data collected to the PPP who will decide the most suitable academic provision to meet the needs of the CYP.

Pupils At Risk (PAR)

The Local Authority collects this data to identify and monitor challenging behaviour and to signpost schools to appropriate support for the CYP.

Fresh Starts

The Local Authority collects this data for monitoring purposes only.

Who will see your data?

Reduced Timetables

Your data will be seen by members of the council's Exclusions Team.

We may also make some information available to other professionals directly involved such as, health partners, education welfare, school employees and social care colleagues.

Data may be shared with members of the SEN Team during an EHC assessment process to enable them to advise and assist in decision making. Data may also be shared if a CYP is subject to an EHC plan according to the needs of the CYP.

Pupil Placement Referrals

Your data will be seen by members of the Pupil Placement Panel which is comprised of WB school Heads.

We may also make some information available to other professionals directly involved with the services we provide you, such as, health partners, school employees and social care colleagues.

Pupils At Risk

Your data will be seen by members of the council's Education Psychology Team including Exclusions Team, Emotional Health Academy, Education Psychology and the Therapeutic Support Team.

We may also make some information available to other professionals directly involved, such as, health partners, education welfare, school employees and social care colleagues.

Fresh Starts

Your data will be seen by members of the council's Exclusions Team.

Why are we doing this? (Our Legal basis for processing)

Data protection legislation means that we need to identify a basis for processing in each of these cases.

A series of legal responsibilities are placed on the council as a Local Education Authority with respect to the provision of education, welfare of children and promotion of their interests. Many of the tasks a local authority is expected to discharge are described in the Children's Act 2004, but the main area to note is Section 11 which makes it a legal duty for the council to promote and safeguard the welfare of children and young people. The processing described in this document is part of discharging that aim, so processing is with this in mind. This legal duty is a broad basis for processing under Article 6(c) of the General Data Protection Regulations (GDPR).

In addition, in each case, the processing that the council carries out is in its legitimate interest as a local government body and the Local Education Authority for West Berkshire. The processing is in each case necessary for the council to carry out various tasks that it has responsibility for. Some tasks may not be described in law, but they fall reasonably within the realms of what a council should do to promote, safeguard and improve educational provision. In some cases (such as Reduced Timetables), the council is complying with Ofsted standards and best practice.

This basis for processing is explained in full at Article 6(e) of the General Data Protection Regulations (GDPR).

Additionally, the council carries out the processing in its capacity as a public body acting in the public interest.

This processing is explained in Article 6 (f).

Consent and Special Category Data

You have a number of rights about your data, including the right to object to the council processing it, or to ask for erasure.

Your right to do this is unaffected, but whether your objection/request is successful will depend on whether the council needs your consent to process the data in the first place. If you have questions or wish to make a request, see the section below entitled "Your Rights".

Because data about children and young people is considered "Special Category" data under the GDPR, the council takes additional safeguards to ensure it is allowed to process it.

The council processes this data under Article 9(2)(g) - processing is necessary for reasons of substantial public interest. The Data Protection Act 2018 explains that within the meaning of "Substantial Public Interest", the council may process this data where it relates to its statutory duties (Schedule 1, Part 2 (6)).

How long will your data will be kept?

Your data will not be kept any longer than necessary. You can check how long the organisation will keep each type of data against West Berkshire Council's retention schedule (www.westberks.gov.uk/retention).

How is your data stored and processed?

Your data will be held on the Council's database designed for education information, called CapitaONE and on the EPS database. Your data is protected using up-to-date technical and organisational security measures.

Transfer overseas

Your data will not be stored or sent outside of the UK.

Your rights

You have a number of rights when it comes to the data we hold about you. These are detailed on our request form (www.westberks.gov.uk/dprequest) that also allows you to make a request for us to take action about something.

Complaints

If you've already told us we need to do something, but we haven't responded in a way you're satisfied with, you can complain to the Information Commissioner's Office (the ICO). It's easiest to do this online via the ICO website (<https://ico.org.uk/concerns/handling/>), but you can also do so in writing to:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

END
