

# 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 work with children and young people and to support them in participating in education, employment and training.

Date of Issue: 09<sup>th</sup> August 2018

Update History:

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|------------------------------|---|
| 09 <sup>th</sup> August 2018 | First issue of a new Privacy Notice                               |
| 13 April 2022                | Minor amendment to contact details of the Data Protection Officer |
|                              |   |

Directorate: Communities  
Service: Education  
Team: School Improvement

## 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](http://www.westberks.gov.uk/dpofficer)

## What data will we collect about you?

We hold information about young people living in our area, including about their education, training and employment history.

The specific information collected in relation to these activities includes:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Sensitive classes of information and characteristics (such as ethnicity, language, free school meal eligibility, criminal proceedings, outcomes and sentences, information on children in Local Authority Care or Care Leavers, teenage parents and young carers).
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioral information (such as exclusions and any relevant alternative provision placements put in place)
- Employment, education and training information including place and nature of training, levels and type of qualification studies including start and end dates
- Intended destinations for post 16 provision
- Offers of learning for post 16 provision for 16 year olds • Offers of learning for post 16 provision for 17 year olds

We collect personal information via secure file transfer systems including those used between schools, local authorities and partner organisations. Information is also obtained via online or hard copy application / data collection forms.

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 us to support these provisions.

### **What will we use your data for?**

We collect this data to support the provision of a young person's education, employment and training up to the age of 20 (and beyond this age for those with a special educational need, disability, if they are a Care Leaver from West Berkshire Council, or if they are working under a specific targeted program and have explicitly consented to record this information).

We use children and young people's data to:

- enable us to carry out specific functions for which we are legally responsible
- enable us to deliver and manage services including those provided for and on behalf of children, young people, parents, schools and other stakeholders
- assess the planning and performance of new and existing services
- derive statistics which inform key policy decisions such as the funding of schools
- assess performance and targets of our schools
- help investigate any worries or complaints you may have about the services we deliver

### **Who will see your data?**

You data will be seen by authorised members of West Berkshire Council's School Improvement Team. We may also make some information available to other professionals directly involved with the services we provide you, such as, health partners, education and training partners where it is in your interests to do so.

We will not share your information with family members or friends unless you have given explicit permission to do so.

We will also share your data with Department for Education, who collect personal data from educational settings and local authorities via various statutory data collections.

Once our young people reach the age of 13, we also pass pupil information to youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

### **Why are we doing this?**

We have to process your data to comply with the law, and also that processing your data may be carried out in our capacity as a Public Authority, in the public interest.

We are legally processing your data under the requirements of the section 507B of the Education Act 1996. As such, there is no legal right to refuse processing as we are legitimately required to do so by UK law. There's more on your rights below (see "Your Rights").

In addition, we collect information on our children and young people in order to comply with the obligations placed on us by the Department for Education (DfE) i.e. for the purpose of statutory data collections, as outlined under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Further information on the statutory data collections we are required to participate in, and their legal basis can be found on the GOV.UK website.

We process special category data for reasons of substantial public interest with regard to employment, social protection and social security, as defined in the Data Protection Act 1998 (Schedule 1, Part 1 (1), and Part 2 (19))

### **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](http://www.westberks.gov.uk/retention) ).

### **How is your data stored and processed?**

We hold our data on secure systems and premises, and retain it for no longer than necessary. All of our staff undertake mandatory information security and data protection training and understand their obligations with regard to data handling. Access to systems, networks and premises are strictly controlled. All technology is regularly tested and patched to ensure the highest possible level of security.

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Data shared with the Department for Education is transferred securely and held under a combination of software and hardware controls which meet the current government security policy framework.

### **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](http://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

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