

## Local Authority Privacy Notice

Effective from: 6<sup>th</sup> June 2017

### Introduction

Wigan Council collects and uses information about children young people and their families, for whom we provide or commission services, to enable us to carry out specific functions for which we are responsible. We may carry out our responsibility with one or more of our partner agencies.

### The Legal Basis on which we share information

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.

Partners in this context includes

- educational establishments
- the police
- health service providers
- youth justice system
- any other person or organisation exercising functions or are engaged in activities in relation to children in the authority's area
- Department for Education

### What information do we share?

The categories of personal data we collect and use to provide services include name, identification number, location data, online identifier and factors specific to a person's physical, physiological, genetic, mental, economic, cultural or social identity.

We also use this personal data to derive statistics which inform decisions we make, for example regarding the funding of schools and services, to assess their performance and to set targets for them. These statistics are used in different ways, meaning that individual children and young people may or may not be identified in the process. The use of personal data in research and statistics is part of the local authority's legal duty and ensures that funding and other resources are placed where children and young people need them most, you may opt out of the use of your personal data for this purpose if you wish.

To find out more about how we use your information choose from the options below;

**Cooperating to improve well-being:** We share personal information with our partners to improve the well-being of children and young people in relation to

- (a) physical and mental health and emotional well-being;
- (b) protection from harm and neglect;
- (c) education, training and recreation;
- (d) the contribution made by them to society;

(e) social and economic well-being.

**Education and training:** Under the Education and Skills Act 2008, parts 1 and 2 we hold information about young people living in our area, including about 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 education need or disability). 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 do this

We also use personal data to;

- support our children's learning
- monitor and report on their progress
- provide appropriate pastoral care
- for purposes of safeguarding; and
- assess the quality of our services

The Local Authority shares data with a selected range of organisations in both a sharing and processing capacity.

We may also share information with post-16 education and training providers to secure appropriate support for them. We may also share data with education establishments which shows what their pupils go on to do after the age of 16.

For children under 16, a parent or guardian can ask that no information other than their child's name, address and date of birth (or their own name and address) be passed to a local authority. This right transfers to the child on their 16th birthday. Pupils and/or a parent/guardian will need to inform the school/LA if this is what they wish.

**Youth Support Services:** For pupils aged 13 and over, schools are legally required to pass certain information to the provider of Youth Support Services in their area. This is the local authority support service for young people in England who are aged 13 to 19.

**Clinical Commissioning Group (CCG)** use information about pupils for research and statistical purposes, to develop, monitor and evaluate the performance of local health services. These statistics will not identify individual pupils. It is necessary for certain health information about children (e.g. such as their height and weight) to be retained for a certain period of time (designated by the Department of Health) and requires these CCGs to maintain children's names and addresses for this purpose. CCGs may also provide individual schools and LAs with aggregated health information which will not identify individual children.

**DfE:** We share some of the information we collect with the Department for Education (DfE) to enable 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.

DfE may share individual level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act 1998 and EU General Data Protection Regulation (GDPR).

Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are based on a detailed assessment of who is requesting the data, the

purpose for which it is required, the level and sensitivity of data requested and the arrangements in place to store and handle the data. To be granted access to pupil level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

For more information on how this sharing process works, please visit:

<https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

For information on which third party organisations (and for which project) pupil level data has been provided to, please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

If you require more information about how we and/or DfE store and use your personal data please visit:

- <https://www.wigan.gov.uk/Council/DataProtection-FOI-Stats/Privacy-notice.aspx>
- <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

### **Access to your information and correction**

You have the right to request a copy of the information that we hold about you. If you would like a copy of some or all of your personal information, please email or write to us at the following address. We may make a small charge for this service. We want to make sure that your personal information is accurate and up to date. You may ask us to correct or remove information you think is inaccurate.

Wigan Council operates a Records Management Policy which ensures that records are kept only for the period of time that the appropriate law requires.

### **Contacts**

This Local Authority Privacy Notice has been prepared and published by the Education Business Intelligence Unit at Wigan Council with support from Wigan Council's Data Protection Officer who at the time of publication is Sharon Crippin.

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