

## **Privacy Notice (How we use child and young person's information)**

Together for Children Sunderland, of City Hall, Plater Way, Sunderland SR1 3AA, is registered as a Data Controller with the Information Commissioner's Office. Our registration number is ZA247855. We deliver statutory Children's Services on behalf of Sunderland City Council under a Service Delivery Contract.

### **The categories of child and young person's information that we process include:**

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- 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)
- behavioural information (such as exclusions and any relevant alternative provision placements put in place)

### **Why we collect and use child and young person's information**

We use child and young person's data to:

- a) enable us to carry out specific functions for which we are responsible
- b) derive statistics which inform decisions such as the funding of schools
- c) assess performance and to set targets for schools

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing child and young person's information are derived from:

- Article 6(1)(c) – processing is necessary to fulfil a statutory obligation to which we are subject
- 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 authority vested in the controller
- Article 9(2)(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law

- Article 9(2)(g) – processing is necessary for reasons of substantial public interest

Processing is undertaken for the purposes of:

- completing the School Workforce Census in accordance with regulations made under Sections 113 and 114 of the Education Act 2005
- Completing the School Census in accordance with Section 537A of the Education Act 1996
- section 537A and section 434 of the Education Act 1996 – and regulations made under those powers including the Education (Pupil Registration) (England) Regulations 2006 and the Education (Information About Individual Pupils) (England) Regulations 2013

## Collecting child and young person’s information

We collect child and young person’s information via a range of platforms, for example secure email, Common Transfer File (CTF) or secure file transfer from schools.

Children and young person’s data is essential for the local authority’s operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain personal information to us or if you have a choice in this.

## Storing child and young person’s data

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please contact us directly.

## Who we share child and young person’s information with

We routinely share pupil information with:

- Connexions youth support services (pupils aged 13+)
- Department for Education (DfE)
- Office for Standards in Education, Children Services and Skills (Ofsted)
- Department of Health and Social Care (DHSC)
- Schools and colleges
- Your GP
- Hospitals and NHS trusts
- Your local primary care trust

## Why we regularly share child and young person’s information

We do not share information about our children or young people with anyone without consent unless the law and our policies require or allow us to do so.

## Education and training

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 educational need or disability). 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

## Youth support services

### Pupils aged 13+

Once our pupils reach the age of 13, we also pass pupil information to the provider of 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.

This enables them to provide services as follows:

- youth support services
- careers advisers
- post-16 education and training providers

The information shared is limited to the child's name, address and date of birth. However where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once he/she reaches the age 16.

Data is securely transferred to the youth support service and is stored with comprehensive organisational and technical controls, and is held in line with our retention schedule.

For more information about services for young people, please visit our local authority website.

## Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections - [data collection](#). We are required to share information about our children and young people with the Department for Education (DfE) for the purpose of those data collections, under:

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](#). For more information, please see 'How Government uses your data' section.

## Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact:

Access to Files Team, Sunderland City Council. City Hall, Plater Way, Sunderland, SR1 3AA  
[Access.files@sunderland.gov.uk](mailto:Access.files@sunderland.gov.uk)

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)

- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance, or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 31<sup>st</sup> October 2022

## Contact

If you would like to discuss anything in this privacy notice, please contact:

Data Protection Officer, City Hall, Plater Way, Sunderland SR1 3AA or via [data.protection@sunderland.gov.uk](mailto:data.protection@sunderland.gov.uk) 0191 520 5555

## How Government uses your data

The pupil data that we lawfully share with the the Department for Education (DfE) through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

## Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education (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 for Education (DfE).

It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

## Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with

Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

## **How to find out what personal information the Department for Education (DfE) hold about you**

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>