

Privacy Notice
Durham County Council
Children and Young Peoples Services
Education Support Services

This Privacy Notice explains how we use and share information. We will review and update this privacy notice to reflect changes in our services and feedback from service users, as well as to comply with changes in the law.

Who we are and what we do

Durham County Council have a responsibility to provide support to schools and other council services regarding a wide range of issues and support services such as school admissions, transport, governors support, exclusions and attendance and music services

For more information see the [Durham County Council website](#).

For the purposes of Data Protection, Durham County Council is the Data Controller

What type of personal information do we collect and how do we collect it?

In order to provide you with high quality and safe services which are relevant to your needs, the Council will collect and hold information about you. This may include:

- Basic details about a child such as their name, address, date of birth
- Language
- Parents/carers, family members - name, address, contact details
- Siblings information
- If A Child is Looked After (current or previous) by a Local Authority and name of social worker
- Details about any Special Educational Needs
- School Attendance data
- School Exclusion data
- Eligibility for Free School Meals, including national insurance number of parent or carer
- Whether Educated at Home
- Children Missing from Education
- School Transport details

We also collect the following special category data:

- Gender
- Ethnicity
- Religion
- Relevant Medical Factors

We collect information about you in the following ways:

- Face to face
- By secure email, post or telephone
- From schools and other professionals
- By telephone

- Online portals

What is our lawful basis to obtain and use your personal information?

To enable us to provide services to you it is necessary for us to use your personal information to help identify the most appropriate services available. To do so we will use the following legal basis for sharing your information:

- 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

For special category data which is more sensitive information, we rely on the following:

- the data subject has given explicit consent;
- the provision of health or social care or treatment or the management of health or social care systems and services

What is your personal information used for and who will it be shared with?

Your personal information will be used to provide you with the best possible education support services. Information may also be used to provide assurance to about the quality of services provided. Your information may be processed as follows:

School admissions and school transport

The information you provide to us on your school admission and/or school transport application form and in any supporting documents will be used to process your application and may be shared with schools. This will ensure the efficient co-ordination and fair allocation of school places.

Providing information to support the School Nursing Service

To support the delivery of local and national health initiatives for children, e.g. health screening and child immunisation programmes, the council will share information with Child Health Services at County Durham and Darlington NHS Foundation Trust. This will include the name, date of birth, address and school attended.

Free school meals

Personal information (name, date of birth and national insurance number) provided to the council by your school for the purposes of assessing eligibility for free school meals will be matched to Durham County Council's Benefit System and Department for Education records. The results of this will be reported to the school to confirm or reject an entitlement to free school meals

Early years funded places and other pupil benefits

Durham County Councils Early Years and Childcare Service provides parents/carers with access to checking services to enable checks to be made regarding eligibility for early years funded places and other pupil benefits (e.g. 2 year old funded places, or

early years pupil premium) . Assisted applications may also be made by early year's providers where they hold the parent/carers agreement.

Personal information (name, date of birth, national insurance number, and/or national asylum support number) provided for the purpose of assessing eligibility for funding will be shared with Department for Education, who will access information from other government departments to confirm your child's eligibility.

The results of an application may be provided on screen via a parent portal, or in writing to the applicant at the end of the assessment process.

Confirmation of entitlement to early years funded places and other pupil benefits (or change in entitlement status), will be shared by the local authority with the school or setting that the child attends.

Where an application is rejected following submission, details will be retained for the following purposes:

- To enable an application to be re used if the parent/carer circumstances change and they subsequently become eligible for two year old or early years pupil premium
- To process and provide the appropriate services without further information being collected should an investigation find that that an incorrect negative response was returned;
- to identify any suspicious behaviour such as multiple applications for the same child

The local authority has a statutory duty under Section 1 of the Childcare Act 2006 to ensure that it improves the well-being of young children in its area and reduces inequalities between young children. The data collected by the early years may be used by the One Point service for this purpose.

Children in Need or Children Looked After

We collect and process personal and relevant personal sensitive data about children in our care and children to whom we provide Education services. We use this personal data to:

- support these children and monitor their progress
- provide them with pastoral care; and
- assess the quality of our services

Music Services

Our music support service provides musical opportunities for pupils throughout County Durham and Darlington. Information will be used for registration purposes to enable access to music services including the provision of musical instruments and music exams.

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 and children aged 13+

Once our pupils reach the age of 13, we pass their contact details 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 youth support service and careers advice.

A parent / guardian can request that **only** their child's name, address and date of birth be passed to their provider of youth support services by contacting the school. This right is transferred to the child/pupil once he/she reaches the age of 16.

Pupils aged 16+

We will also share relevant information about pupils not in education, training or employment (such as their contact details) aged 16+ with 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 the following services:

- post-16 education and training
- youth support services
- careers advice

For more information about services for young people, please visit the [Durham County Council website](#).

Department for Education

We share children and young person's data with the Department for Education (DfE) on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. This data sharing underpins school funding, educational attainment policy and monitoring and enables 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. We do not share information about children and young people without consent unless the law and our policies allow us to do so.

[Data collection requirements](#)

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

[The National Pupil Database \(NPD\)](#)

The NPD is owned and managed 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. 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.

The law requires us to provide information about our pupils to the DfE as part of statutory data collections. Some of this information is then stored in the national pupil database (NPD). The legislation that requires this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The DfE may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The DfE has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and 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
- For more information about the DfE's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>
- For information about which organisations the DfE has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received> or to contact DfE: <https://www.gov.uk/contact-dfe>

There are other times not linked to your services where we may need to share your information: These include:

- Where there is a serious risk of harm to you or to others
- Where there are concerns for the welfare of a child
- For the Prevention or detection of crime
- Where a court order requires us to share information about you

How do we keep your information secure?

The security of your personal information is important to us. The records we keep about you are secure and are confidential within the Council. The Council have a range of procedures, policies and systems to ensure that access to your records are controlled appropriately.

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

How long will we keep your personal information?

We must keep business records of our involvement with you. The type of service you receive will determine how long we have to keep your personal information.

Currently children's records cannot be destroyed due to Government independent inquiries into child abuse. Information will not be destroyed until 6 years after the end of the inquiries or in accordance with our normal retention schedule (whichever is later).

Our [corporate retention guidelines](#) show how long we keep information for different services. Your records will be retained in accordance with Durham County Councils records retention schedule for Education Services as follows:

| | |
|--|--|
| School applications, transport applications, appeals and associated correspondence | Primary School Year of application plus 7 years Secondary School Year of Application plus 5 years |
| Education Casework files containing casework relating to pupils who have received services. | Date of birth plus 25 years |
| Education at Home Documentation | DOB + 25 years |
| Early Years Children's Records Information regarding the work of the Area SENCO's with individual children e.g. letters, reports, etc (All other records move with the individual child from setting to school) | Date left service plus 3 years |
| Early Years Funding Eligibility Check | 7 years from date of application |
| School and Governor Support Service records including agendas, minutes and general communications | 10 years from date to which they relate. Due to historical content, decisions made by Governing Bodies, paper copies of minutes from all Governing Body and Committee meetings are retained by County Archivists indefinitely |

Some information e.g. registers, may be passed to the County Archives for historical reference purposes. This information will be held securely and access will be limited to those who have a legal right to access these records in accordance with data protection law.

Is your personal information processed outside of the European Economic Community (EEC)?

We do not process your personal data outside of the EEC

Marketing

At no time will your information be used or passed to others for marketing or sales purposes, or for any commercial use without your express consent.

What are your information rights?

Your Information Rights are set out in the law. Subject to some legal exceptions, you have the right to:

- have any inaccuracies corrected;
- have your personal data erased;
- place a restriction on our processing of your data;
- object to processing; and
- to request your data to be ported (data portability).

If you wish to exercise your information rights, please contact our Data Protection Officer at DPO@durham.gov.uk or alternatively write to:

DPO,
Floor 4 Room 143-148,
Durham County Council
County Hall,
Durham
DH1 5UF

You also have the right to request a copy of the personal information council holds about you. To do this, you can apply on line or download an application form from the [DCC website](#) or you can contact the data protection team at dataprotection@durham.gov.uk

To learn more about these rights please see the [ICO website](#).

Further Information

Our Data Protection Officer (DPO) provides help and guidance to make sure we apply the best standards to protecting your personal information. If something goes wrong with your personal information, or you have questions about how we process your data, please contact our Data Protection Officer at DPO@durham.gov.uk or by calling 03000 268050

If we have not been able to deal with your complaint, you can also contact the [Information Commissioner's Office](#):

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113 (local rate) or 01625 545 745
Fax: 01625 524 510