

School Attendance Legal Proceedings Privacy Notice

Version: 2.0

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Introduction

This privacy notice applies to School Attendance Legal Proceedings carried out by Worcestershire County Council and Worcestershire Regulatory Services and should be read in addition to Worcestershire County Council's [Full Privacy Notice](#) and the [Worcestershire Regulatory Services Privacy Notice](#).

The privacy notice will cover:

- [Purpose for processing](#)
- [Personal information collected and lawful basis](#)
- [Who we may share your information with](#)
- [How long we will hold your information](#)
- [Your information rights](#)

Purpose for processing

The services process personal information in order to carry out the management and administration of school attendance legal proceedings either directly or jointly with partners and commissioned private and third sector providers. This includes:

- To issue a warning about your child's unauthorised absences in writing.
- To issue a Parenting Order.
- To Issue an Education Supervision Order.
- To Issue a School Attendance Order.
- To issue a Penalty Notice (a fine for children who miss school without authorisation).
- Consideration of legal action under Section 444 Education Act 1996.
- To clarify who has parental responsibility for the child.
- To comply with Worcestershire County Council - Penalty Notice Code of Conduct

Personal information collected and lawful basis

The service processes personal information which is relevant to individual cases which may include, but is not limited to, the following personal data:

- Child name, address and DOB
- Parent(s)/ Carer(s) name, address, telephone number and DOB
- National curriculum and attainment data including:
 - assessment results
 - attendance/exclusion information
- Information from previous/current early years providers/schools/post 16 providers
- Social Care information

- Police National Computer Inquiries of any parent's previous offences under s4441/1a Ed Act 1996 for magistrate sentencing purposes.

We may also process some special category (sensitive) information, which is relevant to individual cases and may include some of the following but is not limited to:

- Health/medical information
- Religion
- Ethnic group

The legal bases for processing this personal information are:

- **Legal obligation** - processing is necessary to comply with the law, specifically:
 - The Education Act 1996
 - Anti-Social Behaviour Act 2003
- **Public task** - processing is necessary to perform a task in the public interest

Who we may share your information with

We may need to share the personal information you have given to us or we've collected about you with partner organisations where relevant to the individual and/or their care provision. These include but are not limited to:

- Worcestershire Regulatory Services
- Legal Services
- Magistrate Courts
- Probation Service
- The child's parent/carer or the young person
- Internal Departments
- Schools
- Further education colleges and sixth form colleges
- Academies (including free schools, universities, technical colleges)
- Other partner agencies that provide services on our behalf
- Agencies with whom we have a duty to co-operate, such as Police

Information will only ever be shared when it is strictly necessary to help us provide effective services and you may have the right to refuse. We will not pass information onto any other parties unless required to do so by law or in all reasonable circumstances the disclosure is fair and warranted for the purposes of processing or subject to a data protection exemption.

We have specific data sharing agreements in place with local agencies and sometimes the law requires that we may have to pass your details on to a third party, for example, to prevent crime.

How long we will hold your information

The standard record retention period for School Attendance Legal Proceeding records is 25 years from a child's date of birth.

More information about our retention periods can be found in our [Disposal Schedule](#).

Please note stated retention periods may be subject to any legal holds imposed under the Inquiries Act 2005 that may concern the information and override standard retention periods.

Your information rights

You are entitled to a copy, or a description, of the personal data we hold that relates to you, subject to lawful restrictions. Please go to our [Make a Data Protection Request webpage](#) to find out how to make a request.

You may be entitled to rectification, restriction, and objection relating to your personal information depending on the service and legal basis. Please in the first instance contact educationcommissioning@worcestershire.gov.uk to exercise these Information Rights or call the main Worcestershire County Council contact telephone number of **01905 765765**.

Please see our overarching Privacy Notice (<http://www.worcestershire.gov.uk/privacy>) for further contact details and if you have a complaint about your information rights.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on this web page. This Notice was last updated on 2nd August 2024.