# Education, Early Years, Inclusion and Education Place Planning Privacy Notice

version 1.0

## 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 24 Sep 2024.

This privacy notice applies to Education Early Years, Inclusion and Education Place Planning Service provided by Worcestershire County Council and should be read in addition to Worcestershire County Council's Full 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 Education, Early Years, Inclusion and Education Place Planning Services process personal data in order to facilitate different statutory and additional tasks relating to schools and learning either directly or jointly with partners and commissioned private and third sector providers. This includes:

- Children in Employment and Entertainment
- Children Missing Education and Attendance
- Education Engagement
- Education Safeguarding
- Early Years and Childcare Sufficiency Improvement
- Free School Meals
- Governor Services
- Gypsy Roma Traveller Education
- Home Education
- Medical Education Team
- Newly Qualified Teacher Services
- Nursery Education Funding
- Quality and Improvement Service
- Post-16 NEET (not in employment, education or training)
- School Admissions
- School Improvement
- Sufficiency and Place Planning
- Virtual School

## Personal data collected and lawful basis

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

- attainment data
- attendance information
- communication and language preferences
- contact information – e.g. telephone numbers / email address
- details of police involvement
- education setting details
- employment details
- financial details
- gender
- health reports / diagnostic and clinical assessment information
- lifestyle and social circumstances
- maladministration investigations
- National Insurance number or NASS number
- opinions and decisions
- personal details – e.g. name / age / address / and family details
- personal reference numbers
- records of complaints
- records of moderation and monitoring visit outcomes
- safeguarding information
- visual images, personal appearance and behaviour

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

- biometric information
- offences (including alleged offences), criminal proceedings, outcomes andsentences
- physical or mental health details
- racial or ethnic origin
- religious or other beliefs

The legal bases for processing this personal data are:

- **Consent** (UK GDPR Article 6 (1) (a) – the individual (or their parent/carer, when appropriate in the case of a child) has given clear consent to process their personal data for specific purposes
- **Contract** (UK GDPR Article 6 (1) (b) – the processing is necessary for a contract with the individual (or their parent/carer, when appropriate in the case of a child)
- **Legal obligation** (UK GDPR Article 6 (1) (c)) – processing is necessary to comply with the law outlined in:
    - Education and Skills Act 2008
    - The Children and Families Act 2014
    - The Education Act 2002
    - The Education and Inspections Act 2006
    - The Schools Standards and Framework Act 1998

- **Public task** (UK GDPR Article 6 (1) (e)) – processing is necessary to perform a task in the public interest
- **Vital Interests** (UK GDPR Article 6 (1) (d)) – processing is necessary to protect someone's life

The special category condition for processing is:

- **Explicit consent** (UK GDPR Article 9 (2) (a))
- **Vital interests** (UK GDPR Article 9 (2) (c))
- **Made public by the data subject** (UK GDPR Article 9 (2) (e))
- **Legal claims** (UK GDPR Article 9 (2) (f))
- **Health or social care** (UK GDPR Article 9 (2) (h))

## 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:

- Academies and academy trusts
- Department for Education
- Department for Work and Pensions
- Education and Skills Funding Agency
- Her Majesty's Revenue and Customs (HMRC)
- Liquidlogic Ltd.
- Office of the Schools Adjudicator
- Other Local Authorities
- Other Local Authority Schools
- Other Worcestershire County Council teams
- Professional bodies
- Regional Schools Commissioner
- Standards and Testing Agency
- Starting Well Partnership / NHS
- Student's family and representatives
- The Access Group
- Worcestershire Early Years Settings
- Worcestershire Health Services
- Worcestershire Schools

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 it 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.

## Automated Decisions

Applications for **2-year-old funding**, **Working Family Funded hours**, **Early Years Pupil Premium**, **school admissions and Free School Meals** will be processed using an automated decision-making tool regarding the eligibility checks on parents' circumstances for children's entitlements. Prior to the automated decision makings, manual checks and data validation are completed on all the information collated to ensure accuracy when the decision-making automated process is completed. On request, if unsuccessful, they are subject to manual review with appropriate evidence supplied by parents and can be overturned when the evidence proves the criteria is met.

## How long we will hold your information

There are also a range of retention periods affecting different types of information and service needs and these range from 2 years to 75 years from date of birth depending on the type of information and service. 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, objection, and erasure of your personal information depending on the service and legal basis. Please in the first instance contact dataprotection@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.