

**Privacy Notice for The Education Welfare Service (EWS)**

# Why Do You Need My Information?

We collect and hold personal information relating to the statutory requirements currently held by the EWS on behalf of the Local Authority in relation to:

* Parental Responsibility Measures for school attendance including, investigations under section 4441/1A of the Education Act 1996, Parenting Contracts, Parenting orders, Education Supervision Orders, School Attendance Orders, Non-school attendance Penalty Notice fines.
* Electively Home Educated Children
* Children’s entertainment and performance licences
* Child employment licences
* Chaperone Licences
* Children Missing Education (CME)

including information on children, young people, parents, carers and other relevant family members, we may also receive information from schools, other local authorities, Probation Services, The Magistrates Court and The Department for Education (DfE).

Under the General Data Protection Regulation (GDPR) we are required to be fair and transparent with people when collecting and using their personal information. The information you provide helps us to support you/your child and make sure that we meet our legal duties and responsibilities.

This information includes personal characteristics, information around school attendance and absence, Special Educational Needs and Disabilities (SEND), medical information and communication notes regarding any investigations or support provided to improve school attendance.

**Who Will Own My Data Once I Submit It?** St Helens Metropolitan Borough Council

**How we use information?** We use this personal data in accordance with the STHMBC Privacy Notice on our website at:

<https://www.sthelens.gov.uk/council/data-protection-> freedom-of-information/data-protection

and specifically, to:

* provide you or your child with appropriate services
* complete investigations and prosecutions under section 4441/1A of the Education Act 1996
* measure whether our services are improving school attendance and reducing the number of persistent absentees with individuals, schools and across the borough
* track and locate children missing education on a local,national and international level
* monitor and maintain contact with Elective Home Educated families as required under the Education Act 1996
* safeguard children who are employed/participating in entertainment or performances
* safeguard children who are in employment
* help us develop and improve our services

Local Authorities are required to share information of individual children and families with the Magistrate’s Court when submitting prosecutions to improve school attendance, health professionals and other agencies (with parental consent) to identify appropriate support to help improve school attendance. Information (not on individual children) may also be shared with the Department for Education (DfE) who use it to help with their policy development, Local Authority performance management and funding, and to assist with the development of good practice.

# The Legal Basis for Processing Personal Data

The council has a duty to process personal data because it is necessary in order to comply with the Authority’s legal obligations under the Children and Families Act 2014. Your information may be shared with service providers in order to assist the Council in its duty to provide this Service.

# Who Will My Information Be Shared With?

We may pass data to:

* internal departments
* other local authorities (education, social care and relevant housing and employment and other services)
* the governing bodies of schools, including non-maintained special schools
* the governing bodies of further education colleges and sixth form colleges
* the proprietors of academies (including free schools, university technical colleges and studio schools)
* the management committees of pupil referral units
* independent schools and independent specialist providers approved under Section 41 of the Children and Families Act 2014
* all early years providers in the maintained, private, voluntary and independent sectors that are funded by the local authority
* the National Health Service Commissioning Board
* clinical commissioning groups (CCGs)
* NHS Trusts
* NHS Foundation Trusts
* Local Health Boards
* Youth Offending Teams and relevant youth custodial establishments
* The First-tier Tribunal (Special Educational Needs and Disability) (see v.)
* Other third-party organisations, as allowed by law
* Other partner agencies that provide services on our behalf
* agencies with whom we have a duty to co-operate, such as police

If you require more information about how the Local Authority, or the Department for Education store and use this data please go to the following websites:

<https://www.sthelens.gov.uk/council/data-protection-freedom-of-information/data-protection>

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

# Do I have to provide this information and what will happen if I don’t?

# The lawful basis upon which STHMBC process personal data is that it is necessary in order to comply with its legal obligations and to enable it to perform tasks carried out in the public interest.

You can opt out of using our service at any time by advising us that you do not require support.

# How long will you keep this data for and why?

Personal data will not be retained for longer than necessary in relation to the purposes for which they were collected. Data will be retained for 7 years.

# How will my information be stored?

Information will be stored in a database which is supplied by a company called Capita.

**What rights do I have when it comes to my data?**

You have the right to:

* 1. be informed of data processing (which is covered by this Privacy Notice)
  2. access information (also known as a Subject Access Request)
  3. have inaccuracies corrected
  4. restrict processing
  5. Complain to the Information Commissioner’s Office (See below)

To exercise any of these rights more information can be found <https://www.sthelens.gov.uk/council/data-protection-freedom-of-information/data-protection>

# Who can I complain to about how my data is being used?

St Helens Borough Council (STHMBC) complies with the Data Protection Act and the GDPR and is registered as a ‘Data Controller’ with the Information Commissioner’s Office (Reg. No. Z5666620).

# Complaints to ICO

If you are not content with the outcome of the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted our internal review procedure. The Information Commissioner can be contacted at:

The Information Commissioner's Office Wycliffe House

Water Lane Wilmslow Cheshire SK9 5AF

Telephone: 08456 30 60 60 or 01625 54 57 45

Website: [www.ico.org.uk](http://www.ico.org.uk/)

# Will This Information Be Used to Take Automated Decisions About Me?

No.

# Will My Data Be Transferred Abroad and Why?

No