



## BMBC PRIVACY NOTICE

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<b>Created By</b>	Service Manager, Pupil Inclusion, Attendance and Education Welfare
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**At BMBC we are committed to protecting and respecting your privacy. This Privacy Notice tells you what you can expect when BMBC collects your personal information. This notice applies to information BMBC collect in relation to the provision of services by the Education Welfare Service.**

### Stage one: Who are we?

The Education Welfare Service aims to ensure high quality of delivery of integrated services and strategies which impact on the outcomes and life chances of children, young people and families. It fulfils statutory duties in relation to compulsory school aged children and young people, addressing issues related to:

- Admissions and attendance registration
- Schools attendance and absence
- Elective home education (EHE)
- Child employment, child entertainment
- Issuing chaperone licenses

The service provides a specialist team of staff who are qualified and experienced in working in partnership with schools, children, young People, Parent/Carers and a wide range of partner agencies to achieve improved school attendance and reduction in persistent absence levels, therefore, enabling children and young people to have the best chance to fulfill their potential.

Through school attendance, the service tracks the progress of all children, including vulnerable groups, such as children in care and those subject to a child protection plan and children missing from education to ensure they are being safeguarded

Providing information is a core function of our services in Barnsley - information that will allow families and prospective parents to make informed choices. This can include a wide range of essential information about childcare, schools, family Centre's, play, sports and arts activities for children, youth clubs, parenting classes, support and specialist services, holiday and out of school provision, recruitment into childcare and much more.

We are committed to providing the best family support services that we can. When families need help, we take a holistic whole family approach. This means we look at the issues affecting all members in a family and work with them and a range of support services to make sure that they get the right support, at the right time, to manage their difficulties and go on to live happy and successful lives.

## **Stage two: What type of information we will collect from you**

- Personal Information such as names of family members, relationships between family members (parent, child etc.), gender, address, etc.
- Emergency contact details
- Special information such as ethnicity, housing tenure, etc.
- Information relating to family support need including: vulnerable children, health issues, disability or special educational needs, employment, educational attendance and behaviour, involvement with the police, anti-social behaviour, social care, violence in the home, substance misuse.
- Information relating to services accessed
- Information relating to progress made, tracking e.g. development milestones, educational attainment
- Parental and young person's views
- For the purpose of Chaperone licences DBS checks DBS
- To actively promote services to families.

We will not collect any information from you that we do not need in order to provide and oversee this service to you.

## **Stage three: Why do we need your information**

So that we provide the right support at the right time to families, we need to identify families who need help and to understand their needs.

To ensure the safe and efficient management and delivery of services and to help ensure that the needs of all children and young people are met.

To support us in our continuous quality improvement work and achieving our aim of high aspirations for the children and families of Barnsley we need to track and measure the progress being made in respect of children reaching their milestones in education and development.

To continue to provide our services and also to access funding to pay for this support, we must evidence that it makes a positive difference to families' lives. To do this we need to collect, share and match personal information about family members to enable us to demonstrate positive outcomes.

To enable us to provide statistical data returns where required i.e. government requested returns

## **Stage four: How we will collect your information**

We will collect your personal information in a variety of ways dependent upon the level of services that you are accessing. This information will be recorded by the Education Welfare Service/Welfare Officer working with the family and recorded on the service's data base to help build up a picture of family and children's needs.

Where you are contacted by the service or you contact us, the person you are speaking with will ask you for the personal information needed by the service.

With your agreement we may request or accept additional information from other organisations such as health, education, private and voluntary agencies and support services so that they can help us to understand your needs and to provide you with the services you need.

## **Stage five: Our Legal Basis for processing your information**

We collect and use your information in relation to our duties under:

- Working together to safeguarding children 2018
- The Childcare Act 2006
- The Childcare Act 2016
- The Education Act 2011 Part 1
- The Children's Act 2004
- SEND Code of practice
- Early Years Statutory Framework

Think Family programme requirements:

- Section 115 of the Crime and Disorder Act 1998;
- Section 17 of the Crime and Disorder Act 1998;
- Section 14 of the Offender Management Act 2007
- Education (Information about Individual Pupils) (England) Regulation 2013;
- Section 99 of the Children's Act 2006;
- S13A of the Children's Act 1989;
- Section 17 of the Children's Act 1989;
- Section 10 of the Children's Act 2004;
- Section 8 of the Social Security (Information- sharing in relation to Welfare Services etc.) Regulations 2012;
- Section 1 of the Localism Act 2011;
- Sections 537A (9) and 537A (6) of the Education Act 1996;
- Section 54 of the Domestic Violence, Crime and Victims Act 2004; and
- Article 4 of the Data Protection (Processing of Sensitive Personal Data) Order 2000.

- The Education Act 1996 - sections 434(1)(3)(4) & (6) and 458(4) & (5)
- The Education (Pupil Registration) (England) Regulations 2006
- The Education (Pupil Registration) (England) (Amendment) Regulations 2010
- The Education (Pupil Registration) (England) (Amendment) Regulations 2011
- The Education (Pupil Registration) (England) (Amendment) Regulations 2013
- The Education (Pupil Registration) (England) (Amendment) Regulations 2016

Child employment:

- Children and Young Persons Act 1933
- as amended and the Children (Protection at Work) Regulations 1998
- with respect to the employment of children and street trading
  
- Data Protection Act 2018 & GDPR 6(1)(a) – Consent of the data subject
- Data Protection Act 2018 & GDPR 6(1)(c) – Processing is necessary for compliance with a legal obligation
- Data Protection Act 2018 & GDPR 6(1)(d) – Processing is necessary to protect the vital interests of a data subject or another person
- Data Protection Act 2018 & GDPR 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
- Data Protection Act 2018 & GDPR 9(2)(a) – Explicit consent of the data subject, unless reliance on consent is prohibited by EU or Member State law
- Data Protection Act 2018 & GDPR 9(2)(c) – Processing is necessary to protect the vital interests of a data subject or another individual where the data subject is physically or legally incapable of giving consent

## **Stage six: Why we may need to share your information**

With your agreement we may share information with other organisations such as health, education, private and voluntary agencies and support services so that they can help us to understand your needs and to provide you with the services you need.

So that we can continue to improve our support for children young people and families, we use personal information to help us to understand what kind of support works best, it also helps us to involve the appropriate local agencies to work with families, and helps us to show the Government that what we are doing works, so that we are able to gain investment in developing support for Barnsley families.

Sharing personal information effectively helps us to:

- Understand all the problems affecting families
- Target help to those who need it most
- Coordinate and deliver services for families in Barnsley

- Help with research about the effectiveness of the national programmes

Specific agreement is not required to share personal information in the following circumstances:

- the law states that we can
- there is a risk of serious harm or threat to life
- we are directed by a court of law

However, where possible we will always seek your agreement to share your information.

## **Stage seven: Who we may share your information with**

We may need to share some information about you with other organisations, for example, health services, education, the Department of Work and Pensions, police or care agencies and third parties, so we can all work together for your benefit.

We may share information with other Barnsley Council departments.

We may also share information with the Government, other councils and other partner organisations where appropriate e.g. DFE (Department for Education), DWP (Department for Work and Pensions), ONS (Office for National Statistics), MHCLG (Ministry of Housing, Communities and Local Government)

## **Stage eight: How long will your information be kept?**

Your information will be kept according to the dates specified within our retention schedule. For more information on our retention schedule please visit [www.barnsley.gov.uk/privacy](http://www.barnsley.gov.uk/privacy)

## **Stage nine: What will happen if you fail to provide personal information?**

Failure to provide personal information means that Barnsley Council will not be able to provide the best, or as much support for families. In some case this could mean that support or intervention is not available.

We will not be able find out what kind of support works best for Barnsley families, and we may not be able to access the funding to provide it.

## **Stage ten: How to access and control your personal information**

BMBC have a Data Protection framework in place to ensure the effective and secure processing of your information. For details on how your information is used, how we maintain the security of this and your rights to access the information we hold about you, please refer to the [Barnsley Metropolitan Borough Council privacy notice](#)

Should you need to contact the council to discuss how we use your information, please contact our Customer Feedback and Improvement Team by email at [informationrequests@barnsley.gov.uk](mailto:informationrequests@barnsley.gov.uk) or by telephone on 01226 773555 and ask to speak

with the above Team. If you are not satisfied with our response you may contact our Data Protection Officer on [DPO@barnsley.gov.uk](mailto:DPO@barnsley.gov.uk) .

If you are not satisfied with the way we have handled your information, the Information Commissioners Office (ICO) is the UK's independent authority upholding information rights in the public interest and can be contacted at [www.ico.org.uk](http://www.ico.org.uk)