

Merthyr Tydfil County Borough Council PRIVACY NOTICE

ELECTIVE HOME EDUCATION (EHE)

This notice has been written in accordance with the General Data Protection Regulations and relevant legislation.

Information Governance Team

Lisa Richards - Data Protection Officer

Sam Bishop - Data Disclosure and Records Officer

Rebecca Walsh - Data Disclosure and Records Officer

Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN

Data.Protection@merthyr.gov.uk, 01685 725000



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

Date Created:	25 May 2018
Responsible Department:	Education Department
Responsible Manager:	Sarah Bowen
Address:	Unit 5, Triangle Business Park, Pentrebach, Merthyr Tydfil, CF48 4TQ

This privacy notice provides information on how Merthyr Tydfil County Borough Council collects and processes your personal data when parents decide to provide education for their children at home instead of sending them to school.

Merthyr Tydfil County Borough Council is responsible for deciding how we hold and use personal information we collect. We are required under the data protection legislation to notify you of the information contained in this privacy notice. This notice does not form part of any contract to provide services. We may update this notice at any time if we do we will ensure that an updated copy of this notice is made available to you as soon as reasonably practical.

It is important that you read this privacy notice together with our Privacy Standards Policy and full privacy notice which contains more detailed information about our data processing and can be accessed on our website.

This notice relates specifically to how the Education Department will use personal data when they become aware of a child being educated at home. Please be aware that the Education Department is not responsible for the provision of elective home education nor are they under an obligation to support it.

1. IMPORTANT INFORMATION AND WHO WE ARE

Merthyr Tydfil County Borough Council is the controller and responsible for your personal data. The Council is made up of different departments, details of which can be found on our website. When we mention the department, we are referring to the Elective Home Education Service which is based within the Education Department. They are responsible for processing the personal data for the services detailed in this privacy notice.

This notice applies to children, young people and their parents or guardians of the Elective Home Education Service, which includes children who are of statutory school age but are being educated at home.

Merthyr Tydfil County Borough Council has appointed a Data Protection Officer who can be contacted using the following details:

Mrs. Lisa Richards (Data Protection Officer)

Address: Information Governance Team, Merthyr Tydfil County Borough Council, Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN
Email: data.protection@merthyr.gov.uk
Tel: 01685 725000

2. THE DATA WE COLLECT ABOUT YOU

We may collect, use, store and transfer different kinds of personal data about you as follows:

Personal details such as name, gender, age, date of birth, address, contact details, preferred language and any additional languages.

We may hold information relating to your child's eligibility to receive Free School Meals which is assessed based on income and benefit entitlement.

We do not routinely request this information but we may become aware of parents or guardians employment status and job title.

We will collect information relating to your child's educational history, this may include the names of the schools they previously attended and attendance, attainment (including whether they have been assessed as more able and talented) and exclusion information.

EHE History this includes the date they became EHE and any communication with you, visit reports and evidence of the suitable education being supplied.

Lifestyle data such as ethnicity, religion, or whether your child identifies as from a Gypsy Traveller Roma background, this will also include your child's nationality and country of birth.

We may hold and use information that relates to other professionals involvement (such as Attendance and Inclusion, Early Help, Social Care, SEN)

We explain the different methods used to collect this data about you in section 3 of this privacy notice.

3. HOW WE USE YOUR PERSONAL DATA

We will obtain this personal data from parents or guardians, the children, and where applicable the school previously attended. We use your personal information to:

- maintain a record of children in Merthyr Tydfil who are known to be home educated
- provide advice and guidance to home educating families
- inform families about how to access services and facilities from other agencies that would generally be delivered via school

- provide advice and to assist families who request support with returning children to school or identifying a school place
- enable us to make arrangements to establish the identities of children who are not registered at a school and are not receiving a suitable education otherwise

Once collected this information is stored in a password protected database which is located on our internal servers. We also maintain a Lost Pupil Database which is used to try to locate the child's where-a-bouts.

We will only use your personal data where the data protection legislation allows us too. These will include the provisions set out under the General Data Protection Regulations and where relevant the Data Protection Act 2018. We will use your personal information in the following circumstances:

Where we need to comply with our legal obligations under the following laws:

The Education Act 1996
Social Services and Wellbeing Act (Wales) 2014
Children's Act 1989

We collect and use your personal information to carry out tasks in the public interest. We will also process personal data for official purposes such as providing returns to the Welsh Government, and to enable us to contribute to the commitments made by the Welsh Government in its guidance titled Elective Home Education 2017.

If we need to collect special category or sensitive personal information, we rely upon reasons of substantial public interest such as equality of opportunity or treatment.

We may also process your personal data where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

4. HOW WE SHARE YOUR PERSONAL DATA

We may share your personal data across the Education Department in order to provide you with the support you require, we will also share you data internally across other Council Departments which include:

Local Authority Statutory Nursery Provision
Local Authority Nursery Organisations
Children's Social Services
Community Wellbeing Department
Families First Department
Education Services Department
Safeguarding Unit
Flying Start Enhanced Support Panel which includes representatives from Cwm Taf Health Board, Flying Start Early Years Team (including Educational Psychologist, Advisory Teacher, Development Officers and Project Support Officer) Flying Start Speech & Language, Principal Paediatric Physiotherapist, and a Specialist Nurse for Children with

Additional Needs
Flying Start Educational Psychologist

There may also be occasions when we are required to share your personal data with external third parties which include:

Partner organisations such as doctors, paediatricians, health therapists and mental health officers

The Cwm Taf Multi Agency Safeguarding Hub (often referred to as MASH) if we have any concerns regarding your child's safety or the safety of others around you or your child.

There may also be occasions where it may be necessary to share information with the Police, The Child Exploitation and Online Protection Command and Central Government Departments, e.g. The Home Office. We do this in order to safeguard the wellbeing of children, and to establish immigration status.

We also have to provide annual records to the Local Government Data Unit (Data Cymru). The Council has entered into a Data Disclosure Agreement with the Local Government Data Unit which relates to the annual returns that are supplied relating to EHE. Data Cymru is a department within the Welsh Government.

We will share complete sets of personal data with the Welsh Government for research and statistical analysis performed in order to improve the care and support provided to children that receive education at home in Wales. This data assists the Welsh Government to undertake research to help understand and improve the quality of education for children and young people so that they can engage in services to maintain and develop our professional practice.

We will not transfer your data to any countries outside of the European Economic Area. If we do we will inform you as soon as possible and you can expect a similar degree of protection in respect of your personal information.

5. HOW LONG WILL WE USE YOUR INFORMATION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. The personal information collected in accordance with the processing detailed in this notice will be retained from the child or young person's date of birth until they reach the age of 25, with the exception of Statement of Educational Needs information which is kept for 35 years after which the information is archived or securely destroyed.

Details of retention periods for different aspects of your personal information are available in our Records Management Policy which is available on our website (www.merthyr.gov.uk).

6. HOW WILL WE KEEP YOUR INFORMATION SECURE

We have implemented appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees who have a business need to know. They will only process your personal information on our instructions and they are subject to

a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

7. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data including the right to receive a copy of the personal data we hold about you these rights are detailed in the full privacy notice. You also have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues:

Address: Information Commissioner's Office (Wales), 2nd Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH
Email: casework@ico.org.uk
Tel: 0330 414 6421

8. FURTHER DETAILS

If you are looking for more information on how we process your personal data including data security, data retention, individual rights please access our full privacy policy. You can also obtain information directly from Information Commissioners Office website, www.ico.org.uk.