

Kirklees Virtual School General

Privacy Notice (How we use your information)

The types of information that we collect, hold, use and share include:

- Personal information (such name, date of birth, address and UPN)
- Characteristics (such as gender, ethnicity, language, religion and disability)
- Personal circumstances to enable assessments to be made regarding educational support required
- Information relating to educational and early years settings, including staff contact details and financial information
- Pupil information including attainment data and information relating to behaviour and incidents in educational and early years settings
- Information about children and young people who are in the care of the local authority
- Episodes of being looked after (such as important dates, information on placements)
- Assessment information including medical assessments to inform Educational, Health and Care Plans (EHCP)
- Outcomes for looked after children (such as strengths and difficulties questionnaire scores and EHCP's)
- Safeguarding information

Why we collect, hold and use this information

We collect and process information because we have legal obligations and statutory duties to support the education and safety of all young people in the care of Kirklees Council. The Virtual School is also required to ensure that sufficient, good quality education provision is available for our looked after children.

We use this information in order to:

- Ensure children and young people get the necessary education, health and care support
- Ensure that children and young people are safeguarded and attend educational settings regularly
- Provide social workers, parents/carers and guardians with information about educational settings, schools and colleges their young person may wish to attend
- Ensure children and young people get a place in an educational setting
- Support children and young people in their learning
- Enable us to carry out specific functions for which we have a statutory responsibility
- Ensure access to funding available for educational services / intervention e.g. pupil premium plus
- Provide information to government about the educational and early years settings children that young people attend
- Monitor and improve our performance
- Collect information to let us plan future delivery of services

The legal basis for processing personal data

Processing is necessary:

- for compliance with a legal obligation
- to protect the vital interests of a data subject or of another person
- for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

The legal basis for processing special category data

Processing is necessary:

- for the purposes of carrying out obligations under social protection law
- for the establishment, exercise or defence of legal claims or where the courts are acting in their judicial capacity
- for reasons of substantial public interest on the basis of law which is proportionate to the aim pursued and provide for suitable and specific measures to safeguard the rights and interests of the data subject
- for the provision of health or social care or treatment or the management of health or social care systems and services
- for statistical purposes which shall be proportionate to the aim pursued

If a child or other person is considered to be at risk of significant harm, people working with them will have a duty of care to share the information with the relevant services without consent.

Areas of Legislation

The key areas of legislation that direct us to collect, use your information and to fulfil our statutory obligations under various UK laws, include but are not limited to the following legislation:

1. The Children (Performances and Activities) (England) Regulations 2014 Education Regulations 2013
2. Children Act 1989 and 2004
3. Education Act 2015
4. Care Act 2014
5. Childcare Act 2006 and 2016
6. Children, Schools and Families Act 2010
7. Health & Social Care Act 2012
8. Mental Capacity Act 2005
9. Mental Health Act 1983
10. Equalities Act 2010

Kirklees Council also has duties placed under the Local Government Act.

Storing your information

We will hold the information securely, and for no longer than reasonably necessary. We also ensure that only members of staff with a legitimate reason to access the information have permission to do so. The information will only be kept for a specific amount of time in order to comply with statutory requirements, after which it will be securely destroyed. We will hold the information in line with our Retention Policies in order to ensure we only keep the information for as long as it is needed. In some instances, where multiple amounts of information are stored within our electronic records system, with different retention periods - we will need to keep all the information for the longest specified amount of time.

Who we share your information with

From time to time we may need to share the information we hold with other agencies, government departments or other local authorities to ensure that children, young people and their families receive the necessary learning and safeguarding support. These include:

- Other services and/or teams within Kirklees Council;
- Other services and/or teams in other Local Authorities, such as Schools Admissions, Special Educational Needs, Virtual Schools;
- Schools and education settings;
- National government departments e.g. Department for Education;
- Statutory agencies such as Ofsted

We do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

Why we share information

We share information in order to promote the best possible learning support for children, young people ensuring they can have places, attend and thrive in a school or learning setting. We also share information to make sure children, young people and their families are safe and healthy and so they can benefit from the best learning and childcare provision.

Further information

If you would like further information about how we manage your data, please see the privacy notice for Kirklees Council at <http://www.kirklees.gov.uk/privacy>

If you would like further information about this privacy notice, please contact:

Janet Tolley at janet.tolley@kirklees.gov.uk or Martin Green at martin.green@kirklees.gov.uk or by ringing 01484 221000.

If you have any worries or questions about how your personal data is handled, please contact the Data Protection Officer at DPO@kirklees.gov.uk or by ringing 01484 221000.