



Privacy Notice for SEN and Safeguarding

Version	Author	Policy approved by	Approval date	Review date	Changes made?
V1	Information Governance Team	Information Governance Team	15.06.2018	1.09.2019	No Changes
V2	Information Governance Team	Information Governance Team	01.09.2019	01.09.2020	No Changes
V3	Information Governance Team	Information Governance Team	23.09.2020	01.09.2021	Annual Review
V4	Information Governance Team	Information Governance Team	10.11.2021	01.09.2022	No changes
V5	IG Team	IG Team	28.10.2022	01.09.2024	Legislation updated. Minor formatting Retention/storage

How we use looked after children’s and safeguarding information

We collect your information to

- Support these children and monitor their progress
- Provide them with pastoral care
- Assess the quality of our services
- Work with Children’s Social Care to support families
- Monitor welfare and progress of LAC pupils
- To safeguard our students

The categories of this information that we collect, process, hold and share include

- Personal information such as:
 - Date of birth, address, contact information
- Special categories of information such as:
 - Notes of concern, attendance data, information relating to a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection conference information and Child Protection Plan information, outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending), Voice of the Child work, adoptions (such as dates of key court orders and decisions), Education Health Care Plans.

The lawful basis on which we use this information

Legal obligation

We are required to process pupil data when undertaking our legal obligations and to comply with our statutory functions. We are either legally required to have this information or alternatively we process the information via our legal obligation as there is a high risk to our pupils.

We follow statutory guidance on:

- Keeping children safe in education 2022 <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
- Working together to safeguard children 2018 <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

Collecting this information

Whilst the majority of looked after children and safeguarding information we process is mandatory, some of it may be provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

This information is obtained by the school from both the admissions forms, the relevant local authorities and safeguarding leads and relevant notes of concern.

The information will be handled internally by the safeguarding lead, deputy safeguarding lead, designated teacher for LAC children, the headteacher, the SENDCo and pastoral staff.

Storing this information

We hold looked after children and safeguarding data securely and in line with our Records Retention Schedule. This is locked away in cabinets or stored securely in SIMs which requires a password to log in. When this information is no longer required, it will be confidentially destroyed or deleted. For more information on our data retention schedule and how we keep your data safe, please contact the office.

Who we share this information with

We routinely share this information with:

- the Department for Education (DfE)
- the local authority (Tameside Metropolitan Borough Council)
- other local authorities where necessary
- other schools or education settings
- Health specialists including the school nurse, safeguarding and Looked After Children nurse
- Educational Psychologists

Why we share this information

We share children in need and looked after children data with Tameside Metropolitan Borough Council and other placing Authorities. This is for the purpose of the children accessing the correct services and support, for example, Children's Social Care, Special Educational Needs support services and School Health. This information is shared in line with our statutory duties.

We do not share information about our children in need or looked after children with anyone without consent unless the law and our policies allow us to do so.

Department for Education (DfE) - We share children in need and looked after children data with the Department on a statutory basis, under Section 83 of 1989 Children's Act, Section 7 of the Young People's Act 2008 and also under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

This data sharing helps to develop national policies, manage local authority performance, administer and allocate

funding and identify and encourage good practice.

All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about children in England. It provides invaluable information on the background and circumstances on a child's journey and evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our children to the DfE as part of statutory data collections. Some of this information is then stored in the national pupil database (NPD). The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

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

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, please contact the office to make a request or alternatively you can view our Data Subject Rights Policy on our website under Data Protection.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress

- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer:

Data Protection Officer
Stockport Metropolitan Borough Council
1st Floor
Stopford House
Stockport
SK1 3XE
dpa.officer@stockport.gov.uk
0161 474 2227