

Bridgend County Borough Council

Education, Early Years and Young People Directorate

Fair Processing/Privacy Statement

1. How does the Education, Early Years and Young People Directorate use personal data?

This document explains how the Education, Early Years and Young People Directorate of Bridgend County Borough Council (BCBC) obtains, holds, uses and discloses information about people (their personal data), the steps we take to ensure that it is protected, and also describes the rights individuals have in regard to their personal data handled by the directorate.

The use and disclosure of personal data is governed by the Data Protection Act 2018 and the UK General Data Protection Regulation. As such, the directorate is obliged to ensure that it handles all personal data in accordance with the legislation. We take that responsibility very seriously and take great care to ensure that personal data is handled appropriately in order to secure and maintain individuals' trust and confidence in the directorate.

The Education, Early Years and Young People Directorate processes personal information to enable it to provide a range of education-related and support services to local people, which include (but is not limited to):

- School improvement and standards
- School modernisation
- Post-16 education provision
- Admissions to schools
- School meals
- Meals-at-home
- Home-to-school/college transport
- School governance support
- Music services for schools
- Community learning and engagement
- Early years and childcare services
- Pupil/learner support services, including support for pupils/learners with additional learning needs
- Youth justice and early intervention services
- Youth support services
- Child employment licensing
- Child performance licensing
- Health and safety

2. What and whose personal data do we handle?

In the course of operating its services, the directorate collects and uses information about:

- Our employees and employees of organisations we contract to provide services.
- People who use our services, including their parents/carers or representatives and family members.
- External providers of services.
- School governors and other persons engaging with service provision in a voluntary capacity.
- Complainants and their representatives.
- Offenders and suspected offenders.
- Professional advisors and consultants.
- Representatives of other organisations.

We hold data that is pertinent and relevant to the subject of and parties to a transaction. In our conduct of the same, we will collect the following personal information.

- Personal information (such as name, date of birth, unique pupil number, unique learner number and address).
- Relationships (such as names of parents/carers and other relatives or contacts) and contact details.
- Characteristics (such as ethnicity, first language, nationality, country of birth, religion and free school meal eligibility).
- The school/education history of a pupil/learner including attendance, assessments and attainments.
- Information on additional learning needs.
- Medical conditions / information (such as allergies).
- Disabilities.
- A pupil's/learner's school history.
- Information on whether the pupil/learner is in the care of any local authority.
- Information on whether the pupil/learner is receiving support from other agencies.
- Any issues or problems arising at school/education establishments and actions taken in response (such as behavioural issues, exclusions etc.)
- Counselling information/records.
- Financial information (such as school meal payment balances).
- Images, which may include photographic images and CCTV images.

3. Where do we obtain personal data from?

In order to carry out the purposes described under section 1 above, the Education, Early Years and Young People Directorate may obtain, use and disclose personal data from the following:

- Individuals themselves (in particular, children, young people and their families).
- Local authority councillors.
- Relatives, carers/guardians or other persons associated with the individual, including representatives.
- Schools, education and training establishments and examining bodies.
- School governors.
- Careers Wales.
- Any persons engaging with service provision in a voluntary capacity
- Offenders and suspected offenders.
- Legal representatives.
- Persons associated with enquiries or complaints and their representatives, including witnesses.
- Employees and agents of BCBC.
- Education consortia.
- Business or professional advisors and consultants.
- Voluntary and charitable organisations.
- Law enforcement agencies.
- Prosecution and defence authorities/organisations.
- Courts/tribunal bodies.
- Prisons.
- Probation Service.
- Approved and/or contracted organisations and people working with the council.
- Auditors and regulatory bodies/authorities, including the Public Services Ombudsman for Wales.
- Welsh Government, and its associated agencies and departments.
- Local government organisations and departments.
- Other public bodies.
- Providers of health, social care and welfare services.
- Healthcare, social care and welfare professionals, practitioners or advisors.
- Current, past or prospective employers of an individual.
- Emergency services.
- Suppliers/providers of good/services.
- Survey research organisations.
- Trade/employer/professional associations and professional bodies.
- Data processors working on behalf of BCBC.
- Public protection multi-agency sharing hubs.
- The media
- Information openly available on the internet

- Other departments within the council

4. How do we handle personal data?

The Education, Early Years and Young People Directorate will handle personal data in accordance with data protection legislation. In particular, we will ensure that personal data is handled fairly and lawfully with appropriate justification. We will strive to ensure that any personal data used by us or on our behalf is of the highest quality in terms of accuracy, relevance, adequacy and non-excessiveness, is kept as up-to-date as required, is protected appropriately, and is reviewed, retained and securely destroyed when no longer required.

5. How do we ensure the security of personal data?

The Education, Early Years and Young People Directorate takes the security of all personal data under its control very seriously. We will ensure that appropriate policy, training, technical and procedural measures are in place, including audit and integrity monitoring, to protect our manual and electronic information systems from data loss and misuse, and only permit access to them when there is a legitimate reason to do so, and then under strict guidelines as to what use may be made of any personal data contained within them. These procedures are continuously managed and enhanced to ensure up-to-date security.

6. Who do we disclose personal data to?

The Education, Early Years and Young People Directorate will share your personal data with schools, education and training establishments, for the purposes of admissions and education provision. We will only do this to the extent that we consider the information is reasonably required for these purposes.

From time to time, the Education, Early Years and Young People Directorate will share your personal data with advisers, service providers and service departments so that they can assist us. In each case, we will only do this to the extent that we consider the information is reasonably required for the applicable purpose or purposes.

In addition, where required by law or to carry out a public task under the official authority of the council, the directorate may share your personal information with:

- Relatives, guardians, carers, associates or representatives of the person whose data we are processing.
- Careers Wales.
- Organisations that we engage to provide support and/or services to the person whose data we are processing.
- Education consortia.
- Persons who the directorate or council engages to investigate specific matters, such as complaints.
- Law enforcement agencies.

- Prosecution and defence authorities/organisations.
- Courts/tribunal bodies.
- Prisons.
- Probation service.
- Approved and/or contracted organisations and people working with the council.
- Auditors and regulatory bodies/authorities, including the Public Services Ombudsman for Wales.
- Central government, government agencies and departments.
- Local government organisations and departments.
- Other public bodies.
- Providers of health, social care and welfare services.
- Healthcare, social care and welfare professionals, practitioners or advisors.
- The disclosure and barring service.
- Current, past or prospective employers of the individual.
- Emergency services
- Suppliers/providers of good/services.
- Survey research organisations.
- Trade/employer/professional associations and professional bodies.
- Licensing authorities.
- Data processors working on behalf of BCBC.
- Public protection multi-agency safeguarding hubs.
- Other departments of BCBC.
- Loss adjusters, insurance brokers and insurers.

7. What is the legal basis for our use of your personal data?

The Education, Early Years and Young People Directorate needs to process your personal data:

- to carry out a task in the public interest or in the exercise of official authority in our capacity as a data controller;
- to meet contractual and legal obligations in relation to the performance of a contract; and
- to process your personal data for compliance with a legal obligation.

Additionally, in certain circumstances, you may have given us your explicit consent to process your personal data.

8. For how long do we retain your personal data?

The Education, Early Years and Young People Directorate will only keep your personal data for as long as is necessary for the particular purpose or purposes for which it is held and in accordance with the council's Data Retention Policy.

9. What are my rights in relation to my personal data?

Individuals have various rights:

1. The right to be informed.
2. The right of access.
3. The right to rectification.
4. The right to erasure.
5. The right to restrict processing.
6. The right to data portability.
7. The right to object.
8. Rights in relation to automated decision making and profiling.

Right to be informed

You have the right to be informed about the collection and use of your personal data. The council must provide you with information including, the purposes for processing your personal data, retention periods for that data, and who it will be shared with. This is called 'privacy information'.

Right of access

You can obtain a copy, subject to exemptions, of your personal data held by the council. A copy of the application form is available from:

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

You are also entitled to obtain confirmation as to whether or not data concerning you is being processed by the council. Where that is the case, you are entitled to the following information subject to exemptions:

- The purposes of and legal basis for the processing.
- The categories of personal data concerned.
- The recipients to whom the personal data has been disclosed.
- The period for which it is envisaged that the personal data will be stored.
- Communication of the personal data undergoing processing and of any available information as to its origin.

Please note that 'processing' means an operation or set of operations **performed on personal data such as collection, recording, organisation, structuring, storage, adaption, alteration, erasure, restriction, retrieval.**

Proof of ID and any further information needed to locate the information may be required before the council can comply with your request.

Any request for the above information should be made in writing to the Data Protection Officer and the council will respond within one month.

Rectification of data

You can request the council to rectify inaccurate personal data relating to you. If the data is inaccurate because it is incomplete, the council must complete it if it is required to do so by you.

A request should be made in writing to the Data Protection Officer and a response will be sent within one month.

Erasure or restriction of personal data

You can request that the council erase your data or restrict any processing of your data, subject to exemptions.

All requests should be made to the Data Protection Officer. The council will then inform you of whether the request has been granted and if it has been refused, the reasons for the refusal.

Right not to be subject to automated decision-making

You have the right, subject to exemptions, not to be subject to a decision when it is based on automated processing and it produces a legal effect or a similarly significant effect on you. You have a right to express your point of view and obtain an explanation from the council of its decision and challenge it. However, it should be noted that this right does not apply to all decisions as there are exemptions, for example authorisation by law, performance of a contract to which you are a party.

Right to data portability

The right to data portability allows you to obtain and reuse your personal data for your own purposes across different services.

The right only applies to information you have provided to the council.

Right to object

You have the right to object to the processing of your personal data in certain circumstances. The council has one calendar month to respond to an objection.

10. How can you contact us if you have concerns?

Any individual with concerns over the way the council handles their personal data may contact the Data Protection Officer as below:

Bridgend County Borough Council
Information Office
Civic Offices
Angel Street
Bridgend
CF31 4WB.

E-mail foi@bridgend.gov.uk
Telephone 01656 643565

11. What other organisations can you contact if you have concerns?

You can also raise concerns with the Information Commissioner.

The Information Commissioner can be contacted at:

Information Commissioner's Office – Wales 2nd Floor
Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone: 02920 678400
Fax: 02920 678399
Email: wales@ico.org.uk
Website: <https://ico.org.uk/>

Flying Start: individual level data transfer to the Welsh Government

This notice informs individuals in receipt of Flying Start services about the processing of their personal data by the Welsh Government and the uses to which their data will be put by the Welsh Government. The Welsh Government are the data controller for the uses set out in this notice.

Some of the information the local authority collects in providing their services will be transferred to the Welsh Government on an annual basis. This is so that the Welsh Government can carry out research and statistical analysis to improve the Flying Start support provided to people in Wales.

<https://www.gov.wales/flying-start-privacy-notice-html>