



## Privacy notice for school attendance service, children missing education service and child employment service

Reviewed October 2020

The Local Authority (LA): Ealing Council

Here is the [Council's Data Protection Officer](#) information:

Ealing has a duty under the Children's Act 2004 to work with partners to provide and improve services to children and young people in the area. Therefore, Ealing may also use this information for other legitimate purposes and may share this information where necessary with other bodies responsible for administering services to children and young people.

We collect and use personal data about you in order to deliver services that meet our wide-ranging responsibilities in respect of children and young people. We will only use your personal data where the law allows, and we will not collect any personal data that we do not need in order to provide these services. The amount and detail of information we collect will vary depending on the complexity of your circumstances and what we may need to understand to support you.

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## School attendance service privacy notice and legal obligation

By law, each local authority must ensure that every child of compulsory school age in their area is receiving suitable full-time education. (Education Act 1996 sec 441 and sec 436A). To do this, we use attendance data provided by schools to monitor levels of attendance and where this is not satisfactory, we offer advice and support to parents to help them meet their parental responsibilities. Where necessary and where an offence has been committed, we enforce parental responsibility by legal action in the form of a Fixed Penalty Notice or prosecution in the Magistrates Court.

## What kind of information do you collect about me?

We will collect the personal data about you in order to help us deliver the right service, from:

- Our School Admissions data, held on our business systems
- Additional information you provide
- Correspondence you send us
- School Admissions, In-year and Main round
- Children Missing Education
- Information collected by our staff on the phone or in face to face interviews
- Information you or your representative provides in respect of legal action
- Third party agencies e.g. schools, colleges, Elective Home Education, Exclusions team, Young Carers, other educational providers including: Primary Behaviour Service, Ealing Alternative Provision.
- Health eg physical or mental health, disabilities and special educational needs
- Family details lifestyle and social circumstances
- Other local authorities
- Information provided by another professional organisation to allow the research and intelligence necessary to London Borough of Ealing performing its statutory functions
- Social care services for vulnerable children and young people in need of services including children at risk of significant harm and children in care, safeguarding
- standards, fostering and adoption services
- External referrals to the Council
- Other professional organisations may include other public sector bodies such as, police
- services, Her Majesty's Court and probation services and other local authorities. We may also receive information from government bodies and regulators such as the Ofsted, DfE, HMRC.

From these, we would collect and process personal and special categories information such as:

- name, date of birth, address, email, gender, ethnicity
- Confirmation of moving abroad
- health e.g. physical or mental health, disabilities and special educational needs
- family details lifestyle and social circumstances
- Family history
- School attendance and exclusion information

- Eligibility for Free School Meals

### What do you do with information about me?

In order to maintain high levels of attendance in our schools and to identify children whose attendance is a cause for concern, we gather attendance data including information regarding leavers and joiners from schools. We also have a duty to inspect school registers and this data is interrogated with designated school staff. Communication with parents and schools includes, letters, Parenting Contracts, Warnings.

Where necessary, if attendance continues to be unsatisfactory, matters may escalate to prosecution. Where there are discrepancies with school's information, we need to verify addresses against 'read only' business system records. Where a child is open to social care, we also share information with wider welfare agencies under section 17 or section 47 of the Children's act; this includes social care, health and the police. Information is stored on our business systems.

### Children Missing Education (CME) privacy notice and legal obligation

By law, local authorities in England must implement their legal duty under section 436A of the Education Act 1996 to plan to identify, as far as it is possible to do so, children missing education (CME). Each Local Authority must verify, track and locate children who leave schools with no destination address/named school and verify, and track children back into education who are referred into their authority from other boroughs as missing education.

### What kind of information do you collect about me?

Your personal information is collected, for the purpose of delivering the service to you, from:

- Referrals from schools or other education providers within Ealing and from other local authorities
- Elective Home Education
- School Attendance and Admission
- Additional information you provide
- Correspondence you send us
- Additional information provided by 'other contacts' you have nominated
- Information collected by our staff on the phone or in face to face interviews
- Social care services for vulnerable children and young people in need of services including children at risk of significant harm and children in care, safeguarding standards, fostering and adoption services
- Third party agencies e.g. schools, colleges, social care, health, housing providers (landlords).
- Other professional organisations may include other public sector bodies such as, police services, Her Majesty's Court. We may also receive information from government bodies and regulators such as the Ofsted, The Department for Education and Her Majesty's Revenue and Customs (HMRC).
- Information you or your representative provides in respect of legal action
- External referrals to the Council

- Provided to us by members of the public, sometimes anonymously
- Statutory data including census returns

From these, we would collect and process personal and special categories information such as:

- name, date of birth, address, email, gender, ethnicity
- Confirmation of moving abroad
- health e.g. physical or mental health, disabilities and special educational needs
- family details lifestyle and social circumstances
- Family history
- School attendance/exclusion information

### What do you do with information about me?

Individual enquiries are made with all local authorities to locate children, secure school applications and to resolve these enquires. Information is shared cross-borough with other local authorities identified Children Missing Education officers, School Admissions and other interested parties.

We also share information with HMRC, where we believe a child may have moved abroad or if we are unable to locate them. We hold a list of designated officers in other authorities. We also contact individual schools as necessary including schools abroad to confirm a child has been admitted. Information is stored on our business systems and databases held by the CME Officer and team manager.

We use our business systems to search and verify addresses and contact details. Where a child is open to social care, we also share information with wider welfare agencies under section 17 or section 47 of the Children's act; this includes social care, health and the police. Information is stored on our business systems.

### Child Employment – Chaperone licence privacy notice and legal obligation

If a performance or event needs a child performance licence, the chaperone must be approved by the child's local authority. A chaperone is a person aged over 18 years who is approved under Regulation 15 of The Children (Performances and Activities) (England) Regulations 2014 to have care and control of a child and to safeguard, support and promote the well-being of the child while he/she is taking part in a performance, rehearsal, activity or living away from home during the period of the licence.

The child must be accompanied by an approved chaperone, by their parent/carer, who has parental responsibility for them, or the teacher who would ordinarily provide the child's education.

Your personal information is collected, for the purpose of delivering the service to you, from:

- Application form (and passport size photograph)
- Additional information you provide
- Correspondence you send us
- Information you or your representative/agent provides
- Information collected from your nominated referees
- Information collected by our staff on the phone or in face to face interviews
- Human Resources (HR)
- Information provided by other Local Authorities

- Information provided by Child Performance License Applicants, their employees, agents, parents or anyone else connected with the application or performance
- Third party agencies/other professional organisations such as: social care, enhanced Disclosure and Barring Service (DBS) and enhanced vetting, DVLA.

From these, we would collect and process personal and special categories information such as:

- name, date and place of birth, address, email, previous addresses, gender
- national insurance number
- qualifications
- health, as provided by you e.g. conditions which might impact on ability of child supervision
- employment details, including voluntary work
- Groups you are associated with e.g. theatre groups
- lifestyle and social circumstances
- Information about alleged and prosecuted criminal convictions and offences, including cautions

What do you do with information about me?

To approve and issue chaperone licences, we share information with HR and DBS and hold information within our business systems. We also share information with production companies and agencies seeking to employ chaperones and with our performance licencing team. Your name will appear on a list of the LEA's approved Chaperones, unless you indicate otherwise.

It's illegal to employ children under the age of 13 unless they are taking part in a paid performance (e.g. a play or film), sport or modelling and if a child performance licence or be covered by a Body of Person Approval has been obtained or the criteria for exemption has been met. Children must always be chaperoned .

### Child Employment – Work Permit privacy notice and legal obligation

There are laws and bylaws about the type of work children can do. The Children (Protection at Work) Regulations 2000. There are also regulations about the number of hours and the times they can work. The rules are there to ensure that whilst young people get the benefits of work their health, education or development does not suffer.

These laws and regulations are put into action by the employers of children being required to tell the Education Department that they are employing a child and the Education Department then ensuring the child is legally employed.

A 'child' means any young person who is not yet over compulsory school age. It's illegal to employ children under the age of 13 unless they are taking part in a paid performance (e.g. a play or film), sport or modelling and if a child performance licence or be covered by a Body of Person Approval has been obtained or the criteria for exemption has been met. Children must always be chaperoned.

The Education Department will issue a work permit to the child.

Your personal information is collected, for the purpose of delivering the service to you, from:

- Application form completed by employer and parent/carer
- Confirmation of the risk assessment you have undertaken
- Additional information you provide
- Correspondence you send us
- Information you or your representative provides
- Information collected by our staff on the phone or in face to face interviews
- Information provided by other Local Authorities
- Third party agencies/other professional organisations such as: social care, schools, police, health, members of the public.

From these, we would collect and process personal and special categories information such as:

- name, date of birth, gender home address, name and place of employment address, email
- health, where necessary e.g. conditions which might impact on ability of child to work
- Type and hours of work you are employing the child under

What do you do with information about me?

Applications are processed where the information provide is satisfactory and permits are issued in accordance with Child Employment Guidance.

**Applies to all above areas of or service:**

How do I know the information about me is kept safely?

All the information we collect is stored securely on our IT systems and manual filing systems. We have strict procedures for the way this is done. All information about you is treated as confidential and with respect. There are also clear rules and guidance about storing, recording and sharing information, which staff receive training on. All email enquiries are made via secure egress.

We take information sharing very seriously. Appropriate council and health staff are Disclosure and Barring Service checked. Any member of staff who is found to be breaking the rules will be dealt with through appropriate disciplinary procedures.

For how long are records held?

Records are kept only for as long as necessary; this is either by law or good practices.

Here is information on [Ealing councils privacy notice on records retention](#).

Don't you need my permission to keep and share information about me?

We would need your consent if the LA's legal basis for collecting and processing your personal information is Consent.

Although your information is confidential, we may have to share information about you/your family without your permission. Where this is necessary, we are required to comply with all aspects of the data protection legislation.

We may need to share your information in the following circumstances:

- To protect you from harm, neglect, abuse or significant threat
- When you may need urgent medical treatment
- To prevent or detect a crime
- To comply with a legal obligation

### Are there any laws applicable in the processing and protection of my information?

There are several laws which allow for the protection, collection and processing of your personal information for this purpose, such as:

- The General Data Protection Regulations and The Data Protection Act 2018
- Children's Act 2004
- Childcare Act 2006 as amended Section 9 of the Apprenticeships, Skills, Children and Learning Act 2009.
- The Human Rights Act 1998

### Can I see the information you have collected about me/my family?

Yes, you can request a copy of the information held. This is called a subject access request under the Data Protection Act 2018 and General Data Protection Regulations which contain certain rights of individuals and their personal data.

Here is [Ealing Council's privacy policy about your rights](#).

### Who should I contact if I want further information or to complain about the use of my personal information?

Here is information on [how Ealing Council use your information](#)

The Council's Data Protection Officer is Mrs L. Cox, whom you can contact on: [dataprotection@ealing.gov.uk](mailto:dataprotection@ealing.gov.uk) or telephone 0208 825 5124 during office hours.