

Privacy Notice for Access to Learning and Inclusion



Nottingham City Council Information Compliance

Service Area: Access to Learning
Directorate: People
PN - 226

March 2022

The **Access to Learning and Inclusion Team** are part of Nottingham City Council, who are the data controllers for the personal data (or personal information) that we process about you. When we process personal information relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

We will use the information provided by you for a number of reasons, depending on the service or reasons for interacting with you. This includes:

- To enable parents to apply for school places
- To monitor and analyse information relating to school exclusions
- To enable us to conduct fair access cases to place pupils through the scheme
- To work with the Fair Access Panel
- To respond to consultations on proposed changes to school services

When we process your personal information, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

What personal information will the Council process?

The information that we collect about you to fulfil the purposes, objectives, or to deliver the services outlined above may relate to your:

- Name
- Date of Birth
- Address
- Relationship to the school (staff, governor, resident, parent etc.)
- Pupil details (free school meals, SEN etc.);
- Pupil assessments
- Language requirements
- Behavioural reports
- Financial details (bank statements, utility bills and verification of identity)
- Health information if relevant to any application
- Relevant agency of social care involvement

The information provided by you may include the following ‘special categories of personal data’:

- Physical or mental health

Lawful basis for processing

The basis under which we use your personal information for these purposes is that this is

- Necessary for the performance of a task carried out in the public interest by the Council or in the exercise of official authority vested in the Council
- Necessary for compliance with a legal obligation to which the Council is subject to

These public tasks and legal obligations are a result of the powers and duties contained in:

- Education Act 2011
- Education Act 2006
- Education Act 2002
- Children and Young Persons Acts

The condition under which we process 'special categories of personal data' is that such use is **necessary for reasons of substantial public interest** and in accordance with the provisions of the UK General Data Protection Regulation and the Data Protection Act 2018.

Will my information be shared with other organisations or used for other purposes?

The Council will only share your personal information with other departments within the Council, and with other organisations when it is necessary to provide the services to you, and when we have a lawful reason to do so. The Council may also share your information when we are obliged to by law.

In relation to this service, the Council will share your personal information with:

- Relevant Schools or relevant alternative provision providers
- Relevant agency or social care involvement
- School health services
- Other Local Authorities
- Our data processors who provide IT infrastructure.

The information provided by you may also be used for the purpose of any other function carried out by the Council. This may include sharing your information across the Council, or with external organisations. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/>

The information will only be used for another purpose where it is lawful to do so.

Do I have to provide the information?

You **are not** obliged by statute or by contract to provide some of the information that is specified here.

How long will the Council retain the data for?

The information that you have provided will be kept for

- 25 years from your date of birth when the data relates to applications for school places or school exclusions;
- 6 years from the closure of the file, when the data relates to the Fair Access Panel.

The Council publish an Information Asset Register (IAR), this will outline the retention periods for the personal data we process. You can find this IAR on our website <https://geoserver.nottinghamcity.gov.uk/information-asset-register/>

Information Rights

The UK General Data Protection Regulation provides for the following rights as prescribed by the legislation:

- A right to request a copy of your information
- A right to request rectification of inaccurate personal data
- A right to request erasure of your data known as ‘the right to be forgotten’
- A right to in certain circumstances to request restriction of processing
- A right in certain circumstances to request portability of your data to another provider
- A right to object to processing of data in certain circumstances
- A right regarding automated decision making including profiling

However, Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

Data Protection Officer

You can contact the data protection officer at:

Loxley House

Station Street

Nottingham

NG2 3NG

or at data.protectionofficer@nottinghamcity.gov.uk .

Information Commissioner's Office

The Information Commissioner's Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at www.ico.org.uk. You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK95AF

www.ico.org.uk

Further Information

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement> .