

**Privacy Notice for Education
Welfare and Education
Otherwise Than at School
(EOTAS) Service**



**Nottingham City Council
Information Compliance**

**Service Area: Education
Directorate: Children and Families
PN- 138**

June 2026

The Education Welfare & EOTAS Service are part of Nottingham City Council, who are the data controllers for the personal data that we process about you. When we process personal data relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

The Education Welfare Service has a number of different functions including:

- School Absence Investigation including Parenting Orders and School Attendance Orders
- Children Missing from Education
- Elective Home Education
- Children in Entertainment and Employment
- Chaperone Licencing
- Education other than at school service
- Teenage Parents

The service seeks to deliver its services fairly and consistently working within the Education Directorate and in partnership with both internal and external colleagues and partners such as schools, Department of Education, health professionals, Youth

justice service, police, women's aid, Housing Associations, Framework, career advice service providers, as well as attendance and attainment monitoring service providers.

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:

- Using the information provided by you for Nottingham City Council's elective home education records.
- Using the information to undertake assessments such as priority family assessments, signs of safety assessments, education assessments and for the purposes of parenting assessments
- Using the information to undertake civil non-attendance at schools investigations which may result in a parenting order
- Using the information for the purposes of chaperone licensing. This may involve a DBS check and reference check for adult volunteers and paid chaperones
- Training
- Careers advice
- Tracing missing children in the UK or abroad
- Using the information for safeguarding purposes
- Assessing alternative education providers
- Quality assuring education providers
- Safe and well checks- where schools are not able to make contact with a pupil who is considered to be vulnerable
- Home visits
- Monitoring and assessing educational progress

When we process your personal data, 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 will relate to your (this may include all, or some of the following, depending on the service):

- Name
- Address
- Date of Birth
- Contact details
- Education details
- Social Care records and status
- Language spoken by the family
- Attendance and exclusion data

The information we process about you may include the following 'special categories of personal data':

- Race or Ethnic origin
- Religious beliefs
- Physical or mental health (including SEN status and provision)

Lawful basis for processing

The basis under which the Council uses personal data for this purpose is that this is necessary for the performance of a task carried out in the public interest by Council investigations, and that it is necessary for compliance with a legal obligation to which the council is subject, this is in accordance with:

- Education Act 1996 Sections 437, 438, 440, 442, 443, 444, 444ZA, 444A, 444B, 446, 447 and 559.
- The Education and Inspections Act 2006, Section 103.
- The Children Act 1989, Section 36.
- The Anti-Social Behaviour Act 2003, Section 20.
- The Education (Pupil Registration) (England) (Amendment) Regulations 2016.

- The Children (Performances) (and Activities) (England) Regulations 2014.
- The Children and Young Persons Act 1933, 1963 and 1996.

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.

The information being processed may also include personal data relating to criminal offences. The condition under which this information is processed is for statutory reasons of substantial public interest.

Criminal Investigations

The Education Welfare & EOTAS Service process data for law enforcement purposes. Criminal investigations will include:

- Using the information to undertake criminal non-attendance at schools investigations and prosecutions
- Using the information to undertake children in employment and entertainment investigations and prosecutions

The basis under which the Council uses personal data for this purpose is that this is necessary for law enforcement purposes.

Part 3 of the Data Protection Act 2018 applies to processing personal data for 'law enforcement purposes'. When processing personal data for 'law enforcement purposes', the Council are acting as a 'Competent Authority' and have law enforcement powers given to us within statute.

It covers processing for the prevention, investigation, detection or prosecution of criminal offences, or the execution of criminal penalties.

In practice, the lawful basis would either be necessary for the performance of a task carried out for law enforcement purposes by Nottingham city council, or based on consent. There may be circumstances where we obtain consent from the individual

whose data we are processing, although this will only be appropriate in certain circumstances in the context of law enforcement.

The information provided by you may include the following sensitive personal data:

- Race or Ethnic origin
- Religious beliefs
- Physical or mental health
- Sex life or sexual orientation
- Genetic and biometric data

In order to process this type of data Nottingham City Council must be able to demonstrate that the processing is strictly necessary and satisfy one of the conditions in Schedule 8 or is based on consent.

The Education Welfare & EOTAS Service will mainly process sensitive information for reasons of substantial public interest. We can confirm that there is an Appropriate Policy Document in place.

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 may share your personal information with services within the Council like Social Care and the Special Educational Needs. We may also share your details with Department of Education, health professionals, Youth justice service, police, women's aid, Housing Associations, Framework, career advice service providers, as well as attendance and attainment monitoring service providers.

The information 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 you need to provide the information?

You are obliged by statute to provide some of the information that is specified here.

How long will NCC retain the data for?

We will keep the information that you provide until it is no longer needed to manage your case or to quality assure our work with you. Depending on your involvement, this can be up to 35 years after our involvement is ended. Chaperone license information will be retained for 3 years. Child entertainment license information is kept for 1 year after the date of the last performance. Records relating to children who are looked after or have been in care will be kept for 75 years after that individual's date of birth.

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 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.

Part three of the Data Protection Act 2018 provides for similar rights in relation to law enforcement processing. The right to object and to data portability do not apply to personal data processed under part three of the Data Protection Act 2018. Nottingham City Council can apply exemptions and restrictions to these rights in some circumstances.

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> .