

Halton Borough Council

Privacy Notice 14-19 Programme Team

Who is the Data Controller for the information I provide?

Halton Borough Council is the Data Controller for the personal information you provide. The Council's Data Protection Officer can be contacted on 0151 511 7003 or by email to peter.richmond@halton.gcsx.gov.uk

Why do you need my information?

We collect and hold information about young people living in our area, including about their education and training history. This is to support the provision of education and training, and young people participating up to the age of 20 (and beyond this age for those with a special educational need or disability).

The information we collect is used to support the Department for Education (DfE) policy to increase the participation of young people in education and training and to reduce the proportion of young people not in education, employment or training (NEET).

In addition, Halton Borough Council uses this information to ensure that;

- suitable education and training provision is available
- resources can be targeted effectively
- appropriate support can be offered to young people

What legal basis allows you to collect and use my information?

Halton Borough Council has statutory duties to collect and use information about young people for which it is responsible for. These legal duties include;

- To secure sufficient suitable education and training provision for all young people in their area who are over compulsory school age but under 19 or aged 19 to 25 and for whom an Education, Health and Care (EHC) plan is maintained. This is a duty under the Education Act 1996¹
- To make available to all young people aged 13-19 and to those between 20 and 25 with special educational needs and disabilities (SEND), support that will encourage, enable or assist them to participate in education or training under Section 68 of ESA 2008²
- To make arrangements – i.e. maintain a tracking system – to identify 16 and 17 year olds who are not participating in education or training³

We collect and use young people information under Article 6 of the General Data Protection Regulations (GDPR);

- **Article 6** - Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law

¹ Sections 15ZA and 18A of the Education Act 1996 (as inserted by the Apprenticeships, Skills and Children and Learning Act 2009) and Part 3 of the Children and Families Act 2014

² Section 68 Education and Skills Act 2008 as updated by Section 20 of the Children and Families Act 2014

³ Section 12 Education and Skills Act 2008

As part of our work we may also receive and hold information that is classed as special category data under Article 9 of the GDPR, specifically ethnicity, health related issues, sex life or sexual orientation.

How do we collect information?

Young people's information is collected in the following ways;

- It may be provided to us directly by young people or members of the public
- It may be shared with us by another organisation as part of a package of support or as part of their duty to supply information to us
- Under parts 1 and 2 of the Education and Skills Act 2008, education institutions and other public bodies (including police, probation and health services) may pass information to us to help us to support our statutory duties
- It may be cross-checked or sourced against locally or nationally held information to verify the information is correct
- It may be observed from social media activity

Do I have to provide this information and what will happen if I don't?

You do not have to provide any information to us directly, however we may still receive information about you from education institutions or other public bodies as they have specific duties to supply relevant information to us. Any additional information provided would assist us in making contact and referring you to the appropriate service.

You can opt out of using our service at any time by advising us that you do not require support when we contact you, however under our statutory duties we may still need to contact you at set intervals to see if you are participating in education, employment or training or to check if you need any further support at that time.

Who will my information be shared with?

We may need to pass your information to other people and organisations that provide our service under contract or to other organisations and services that help us to meet our duty to provide relevant support. These providers are obliged to keep your details securely, and use them only to fulfil our duties. These include;

- Careers Advice and Engagement services working under contract to the Council (currently Career Connect and Training Attention Ltd.)

Provisions under the Education and Skills Act 2008 allow Halton Borough Council to share your information with other Council Departments or public bodies, including;

- Government Agencies or authorities e.g. Department for Work and Pensions
- Local Authorities, to assist with their tracking duties, should you move to or from Halton
- Education and training service providers e.g. training providers, colleges
- Other departments within Halton Borough Council e.g. Social care, Youth Offending Service, Children's Services

We would gain your consent to share special category data with services or providers outside Halton Borough Council, Career Connect or Training Attention Ltd.

How will my information be stored?

Young people's personal information is stored in a secure database with access restricted to key professionals who are required to sign appropriate data-sharing agreements and to undergo relevant training around the management of personal information and the requirements of data protection regulations.

Any personal information in document format is stored securely in the Council's document management and storage system called SharePoint.

How long will you keep this information for and why?

We only keep hold of information for as long as is necessary to enable us to provide services to the young people whose data is being held. This will depend on what the specific information is and the agreed period of time.

Data is permanently disposed of after this period, in line with Halton Borough Council's Retention Policy/Schedule or the specific requirements of the organisation who has shared the data with us.

The individual young person data held in our secure database will be retained until the end of the academic year a young person turns 20 years old or 25 years old for those with special educational needs and disabilities.

Will this information be used to take automated decisions about me?

No.

Will my data be transferred abroad and why?

No.

What rights do I have when it comes to my data?

- *Right to be informed* – through this Privacy Notice
- *Right to rectification* – you have the right to have personal data rectified if it is inaccurate or incomplete and the *Right to restrict processing* while data is being corrected or completed
- *Right of Access* – you have the right under the Data Protection Act 1998 and General Data Protection Regulation 2018 to request a copy of your information and to know what it is used for and how it has been shared. This is called the right of subject access. To request a copy of your data or ask questions about how it is used download a copy of our form from;

<https://www4.halton.gov.uk/Pages/councildemocracy/Data-Protection.aspx>

And send it to:
Information Governance Service,
Halton Borough Council,
Service Improvement Division,
Municipal Building,
Widnes,
WA8 7QF

Or email informationgovernanceservice@halton.gov.uk