



Northumberland County Council

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Virtual School Privacy Notice

How we handle your information

This Privacy Notice is designed to help you understand how Northumberland Council Education Department as a part of Northumberland County Council who are registered Data Controller with the Information Commissioner's Office (ICO) will handle your personal information. It will outline and detail the information we hold, how it is used, in what circumstances it is shared (and with whom) and how long it is kept for. It will also detail how you can exercise your rights under UK Data Protection Legislation (which includes the UK General Data Protection Regulations, known as 'UK GDPR').

What information do we hold?

We only process the minimum personal information and special category (sensitive) information required to deliver the Virtual School, a statutory service to support the education of Northumberland's children in care by:

- Championing the educational needs of looked after children
- Improving the educational achievement of looked after children
- Monitoring admissions, attendance and exclusions and give support where appropriate
- Promoting the education of children with a social worker or who have previously had a social worker

All children and young people in the care of Northumberland County Council belong to the Virtual Schools as well as their education setting. The Virtual School also has a statutory responsibility to promote education achievement of children and young people who were previously looked after by making available information and advice to parents and professionals.

The personal information we process includes:

- Name
- Unique Pupil Number

We also process some sensitive information about you that is classed as 'special category' data, and which receives additional protections under law, and in terms of our processing of it. The special category (sensitive) personal information we process includes:

- Social Care Record

How does the law allow us to use your personal information?

There are a number of legal reasons why we are allowed to collect and use your personal information. In order to process your personal data, we rely on one or more of the following legal bases.

- *GDPR Article 6(1)(c) / obligation - the processing is necessary for us to comply with the law.* This means the council will process personal data when we are required to by UK Law.
- *GDPR Article 6(1)(e) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.* The Council



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is legally required to promote the Education of Looked After Children as Revised February 2018 and covered in The Children Act (1989).

Promoting the Education of Looked After Children Revised February 2018

For your special (sensitive) personal data, we must also have an additional legal basis to process it. We use the following.

- *GDPR Article 9(2)(h) – processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services.* This means we will process Social Care Records to enable us to provide tailored support in education according to need.

We are also required to follow the most updated guidance produced by the Department for Education:

- [Promoting the education of looked after and previously looked after children](#) (DfE Feb 2018)
- [Promoting the education of children with a social worker](#) (DfE June 2022)
- [Working together to improve school attendance](#) (DfE May 2022)

How long do you keep my information for?

We will only hold your data as long as reasonably necessary and in line with NCC's Children's Services retention schedules which are available on NCC's [website](#). This means that your data, where necessary will be retained for a period after you have stopped using Northumberland Children's Services.

Who will you share my information with?

We will share your information with others to enable us to work together for your benefit. We will only share information with third party partners if they have a genuine and lawful need for it. In some instances, this will be internal council services however, sometimes information will be shared with an external third party but only if they have a justifiable and lawful need for it.

We may share your information with:

- Education providers

Information will be processed within the UK and will not be shared with overseas recipients.

Can request a copy of my records?

You can request what information Northumberland Council Education Department holds about you. If you wish to see a copy of your records, you should submit a Subject Access Request which is available through our website or by contacting the Information Governance Office. You are entitled to receive a copy of your records free of charge, within a month.

Do I have Other Rights?

Data Protection law gives you the right:



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1. To be informed why, where and how we use your information.
2. To ask for access to your information
3. To ask for information to be corrected if inaccurate or incomplete.
4. To ask for your information to be deleted or removed where there is no need for us to continue processing it.
5. To ask us to restrict the use of your information.
6. To ask us to copy or transfer your information from one IT system to another in a safe and secure way.
7. To object to how your information is used.
8. To challenge any decisions made without human intervention (automated decision making).
9. To lodge a complaint with the Information Commissioner's Office
10. If our processing is based upon your consent, to withdraw your consent.

Further information

If you would like to know more about how we use your information, or if for any reason you do not wish to have your information used in any of the ways described in this notice, please tell us. Please contact the Data Protection Officer: informationgovernance@northumberland.gov.uk

You also have the right to complain to the Information Commissioner's Office if you are unhappy with the way we process your data. Details can be found on the ICO website, or you may write to the ICO at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113
Email: casework@ico.org.uk