

Privacy Policy

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1. Introduction:

At Amberleigh Care we are involved in the delivery of specialist care and education of looked after children 11-18. We undertake this work on behalf of local authorities across the UK delivered in two registered childrens homes and separately registered independent schools. These settings are supported by an in-house clinical therapy team and central support staff (maintenance, HR, Finance etc).

As such, we are required to hold and manage a large amount of sensitive and personal information relating to the delivery of our services – this relates to both our young people and our employees. There are requirements for us to receive and share information with external agencies and parties in carrying out our activities. The operation of our registered care and education provisions are governed by a range of legislation and regulations relevant to each aspect of our operations

This document is to set out the scope of data that we hold and handle, why we hold it and who it is shared with and to set out the arrangements for storage, protecting privacy and access to data.

2. Our Staff Workforce:

We process personal data relating to those we employ to work as part of our service delivery. We do this for employment purposes, to assist in the running of the service and/or to enable individuals to be paid.

2.1 Why we collect and use this information

We use workforce data to:

- To support Safer Recruiting and safeguarding.
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid
- improving the management of workforce data
- allowing better financial modelling and planning
- enabling monitoring of selected protected characteristics

2.2 The categories of workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number)
- special categories of data including characteristics information such as gender, age, ethnic group
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)

2.3 Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

2.5 Storing this information

We hold workforce data electronically on a secure server with restricted access and paper records in locked cupboards in locked offices with restricted access. Personnel records are retained for a period of 7 years post employment.

2.6 Who we share this information with

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so. We routinely share this information with:

- our host local authority
- the Department for Education (DfE)
- Ofsted
- Estyn
- Care Inspectorate Wales
- Local Authorities to whom we are an approved supplier

2.7 The lawful basis on which we use this information

Processing is required for compliance with a legal obligation in the running of registered childrens homes and schools and to deliver these services under contract to local authorities across the UK.

Processing is also required to safeguard the vital interests of a Data subject. We also use and hold workforce data as part of the Childrens Homes regulations (England) 2015 and Childrens Homes (Wales) Regulations 2002

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

We also share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

3. Our Young People (Care, Education and Therapy):

3.1 Why we collect and use this information

We use children and young person's data to:

- support the children and monitor their progress
- Inform and review risk assessments
- provide them with pastoral care
- assess the quality of our services
- evaluate and improve our policies on children's social care
- enable us to carry out specific functions for which we are responsible
- derive statistics which inform decisions such as the funding of schools
- assess performance and to set targets for schools

3.2 Categories of this information that we collect, process, hold and share include:

- personal information (such as name, pupil number, date of birth and address)
- characteristics (such as gender, ethnicity and disability)
- information relating to episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after (such as important dates, information on placements)
- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- History and background
- Assessment information
- Medical information
- Daily records of activity and progress
- care leavers (such as their activity and what type of accommodation they have)

- characteristics (such as ethnicity, language and free school meal eligibility)

3.3 The lawful basis on which we use this information

We do not share information about children and young people without consent unless the law and our policies allow us to do so. We collect and use this information under a wide range of legislation and regulations including:

CARE and THERAPY: Department for Education (DfE) - We share children looked after data with the Department on a statutory basis, under Section 83 of 1989 Children's Act, Section 7 of the Young People's Act 2008 and also under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. We also share data as part of the Childrens Homes regulations (England) 2015 and Childrens Homes (Wales) Regulations 2002

EDUCATION: We share children and young person's data with the Department for Education (DfE) on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. This data sharing underpins school funding, educational attainment policy and monitoring and enables them to; produce statistics, assess our performance, determine the destinations of young people after they have left school or college and to evaluate Government funded programmes.

3.4 Collecting this information

Whilst the majority of children and young person's information provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

3.5 Storing this information

We hold children and young person's data in secure servers, locked offices and locked archives. Information is stored for the following periods:

Care – 99 years

Education - XXXXXXXXXXXXXXX

3.6 Who we share this information with

We routinely share children and young person's information with:

- the Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.
- Estyn

- youth support services – under section 507B of the Education Act 1996, to enable them to provide information regarding training and careers as part of the education or training of 13-19 year olds
- schools that the pupil's attend after leaving us
- We will also share relevant information about pupils not in education, training or employment (such as their contact details) aged 16+ with the provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996. This enables them to provide the following services:
 - post-16 education and training
 - youth support services
 - careers advice

3.7 The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The law requires us to provide information about our pupils to the DfE as part of statutory data collections. Some of this information is then stored in the national pupil database (NPD). The legislation that requires this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The Department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process.

4. Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact our HR Manager who fulfils the role of Data Protection Officer, trudie.jenkins@amberleighcare.co.uk

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>