



Children and Families Privacy Notice

Document control		
Document title	Children and Families Privacy Notice	
Purpose		
Author		
Date of publication		
Valid until		
Owner/responsibility	Shirley Parkinson / Victoria Bracegirdle	
Distribution	LanConsent/Other	
Version	Date	Comments
Version 1.0		
Version 2.0	19.03.19	Change title of document
Version 3.0	15.8.19	Addition of use of cyp images.



Children and Families Privacy Notice

Wigan Council (“a data controller”) is committed to protecting the privacy and security of your personal information.

Wigan Council and organisations who work on our behalf, collect, store and process personal and sensitive information about children, young people and their families. This information enables us to carry out specific functions that we are responsible for.

We recognise the need to treat personal and sensitive data in a fair and lawful manner. No personal information held by us will be processed unless the requirements for fair and lawful processing can be met.

Our core obligations under the general data protection regulations (GDPR) and commitments are set out in the [Council’s primary privacy notice](#).

This notice provides additional privacy information for:

- Children, young people and their families.

It describes how we collect, use and share personal information about you:

- Before, during and after your relationship with us ends and
- The types of personal information we need to process, including information the law describes as ‘special because of its sensitivity’.

It is important that you read this notice, together with any other privacy information so that you are aware of how and why we use your personal information.

Purpose(s):

The main purposes for processing your personal information are:

Cooperating to improve the well-being of children, young people and families in relation to:

- physical and mental health and emotional well-being;
 - protection from harm and neglect;
 - education, training and recreation;
 - the contribution made by them to society;
 - social and economic well-being.
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- To produce statistics which inform decisions we make, for example regarding the funding of schools and services, to assess their performance and to set targets for them. These statistics are used in different ways, meaning that individual children and young people and adults may or may not be identified in the process. The use of personal data in research and statistics is part of the local authority’s legal duty and ensures that funding and other resources

are placed where children, young people and their families need them most. This includes sharing for local and national research purposes which if published are anonymised.

- Under the Education and Skills Act 2008, parts 1 and 2 we hold information about young people living in our area, including about their education and training history. This is to support the provision of their education up to the age of 20 (and beyond this age for those with a special education needs or disability).

We also use personal data to:

- support our children's learning
- monitor and report on their progress
- provide appropriate pastoral care
- for purposes of safeguarding
- assess the quality of our services
- show what pupils go on to do after the age of 16
- secure appropriate support for children and young people with post-16 education and training providers.

Categories of personal data:

In order to carry out activities and obligations as providers of services to Children, young people and their families we process personal information in relation to:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Personal demographics (including date of birth, gender, marital status, civil partnerships, relationships)
- Contact details such as names, addresses, personal e-mail address, telephone numbers
- Bank account details, payroll and tax/national insurance status information.
- Children and young people's images, where the provision of a photograph is required to meet our statutory regulations, help us to identify them or is a part of therapeutic support work e.g. life story work.

Special Categories:

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions (including ensuring meaningful equal opportunities monitoring and reporting)
- Offences (including alleged offences), criminal proceedings, outcomes and sentences
- Identification numbers, online identifier and factors specific to a person's physical, physiological, genetic, mental, economic, cultural or social identity. This could include reports from the Police, Court Information / orders Health information e.g. DNA.

- Details of professionals involved in your care and information that they have about you which outlines your support needs. This may include sensitive safeguarding information such as domestic abuse reports, neglect assessment, child sexual exploitation, or medical reports.

The legal bases we rely on for processing your personal information are:

- Necessary in order to perform a public task in the public interest/official functions
- Necessary to protect the vital interests of the data subject or for carrying out obligations under social protection law or in the substantial public interest (for special category data)
- Consent (where you have signed a consent form in relation to Early Help/Start Well services and PLO Pre- proceedings)

Examples of the public tasks and functions we mean are contained in the following statutes:

The Education Act 2002 the Children's Act 1989, Children's Act 2004 and Education Act 1996.

AUTOMATED DECISION-MAKING

All the decisions we make about you involve human intervention.

COOKIES

To find out how we use cookies please see our cookie notice.

DATA SHARING

In addition to the general reasons for information sharing described in the Council's primary privacy notice:

There is a legal duty on local authorities and their partners to co-operate in promoting the well-being of children and young people and adults and to make arrangements to safeguard and promote their welfare.

In this context partners who we share information with include:

- educational establishments
- organisations that provide support i.e. residential homes, supported accommodation, personal assistants
- GP's
- the police
- court
- health service providers
- youth justice system
- any other person or organisation exercising functions or are engaged in activities in relation to children and adults in the authority's area
- Department for Education
- Department of Health and Social Care

Department for Education (DfE): We share some of the information we collect with the DfE to enable 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.

Department of Health and Social Care: We share some of the information we collect with the Department for Health and Social Care to enable them to; produce statistics, assess our performance, determine the destinations of young people after they have left services and to evaluate Government funded programmes. For more information on how this sharing process works, please visit:
<https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

Organisations that provide care and support: We share information with organisations that will provide support to meet any needs to enable them to do this in the best possible way.

Health Services, Including GP's: We share information with GP's and organisations that provide services to meet a child or young adults health needs. This is to ensure you get access to your public health offer and the right kind of support that is co-ordinated and gives us an accurate record of the services that have been involved in your care.

Police and Courts: We would share information with the Police and Court if legally obliged to do so and to ensure protection of children and young adults from harm.

Schools and Early Years settings: We also share information with Schools and Early Years settings if necessary to do so in order to comply with statutory duties to safeguard children and young adults and to protect them from harm or in relation to improving and promoting their welfare and well-being. This is also to ensure you get the best possible support that is co-ordinated, informed without having to 'tell your story' many times. Schools, Early Years settings and some health providers also have access to our case management systems e.g. Liquid Logic and the Early Help Module. This will be limited to a designated professional and access is controlled and reviewed by the council. This professional will be able to view personal information and some special category 'markers on the system' for example indicators that a child is looked after by the local authority or is receiving support from Children's Social Care.

Transport for Greater Manchester: We also share information with TfGM because there is a legal duty to provide transport in s508 of the Education Act 1996; and cooperation in providing effective passenger transport authorities is covered in s88 of the Transport Act 1985.

Troubled Families Programme

We share some of the information we collect to deliver the Governments Troubled Families Programme (known as Confident Families in our borough). We share this to help us understand and meet the needs of families and evaluate the difference that we are making.

National Impact Study (NIS).

The national Troubled Families Programme carries out an evaluation in which all local authorities are required to participate. Local Authorities are asked to provide the following information:

- Name, date of birth, gender and postcode, national insurance numbers, unique pupil numbers
- Eligibility problems met
- Status of intervention

- Family Progress Data (FPD) every six months for all individuals in families who are being supported by the programme against a number of measures

Retention Criteria.

The Goddard Enquiry has ruled that no social care data can be deleted until we are advised. To comply with the national Troubled Families Programme, we are required to retain information from the commencement of the programme in 2014 until 2020.

DATA RETENTION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any future legal, accounting, or reporting requirements.

We must continue to retain necessary information in accordance with our corporate records management policy to fulfil legal, statutory and regulatory requirements.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

- You have the right to ask for your information and there will not be a charge for you to do so. This is known as a [subject access request](#) and we act in accordance with this policy.
- To ask for your information to be corrected if it is inaccurate or incomplete.
- To ask for your information to be deleted or removed where there is no need for us to continue processing it. (right to be forgotten)
- To ask us to restrict the use of your information.
- To ask us to copy or transfer your information from one IT system to another in a safe and secure way without impacting the quality of the information.
- To object to how your information is used.
- To challenge any decisions made without human intervention (automated decision making).

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is in our view unreasonable or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

RIGHT TO WITHDRAW CONSENT AT ANYTIME

Where the legal reason for processing your personal information is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of our processing prior to the withdrawal of your consent.

If you wish to withdraw consent you should notify the person who is your **lead professional, for example this might be your Social Worker /CYPF worker, Start Well Worker or YOT officer**. You should put this in writing and we will process your request within 14 days.

YOUR RIGHTS

In addition to the above you have legal rights in relation to your personal information.

You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation. For details of how and why

personal information is processed for adults within our care please read the Adult Social Care Privacy Notice.

Further details are also contained within the [Council's Primary Privacy Notice](#) and should be read in conjunction with this document.

To ask for access to your information you should visit our website where you can make a **subject access request or write to us:**

Wigan Council, PO Box 100, Wigan WN1 3DS.

DATA PROTECTION OFFICER

If you wish to raise a concern or discuss any aspect of this notice please contact our [Data Protection Officer](#).

If you are unhappy with the way that we handle your concern you may complain to the [Information Commissioners Office \(ICO\)](#) at:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

The Information Commissioners Office deals with concerns and complaints relating to data protection (GDPR) and freedom of information legislation.

CHANGES TO THIS PRIVACY NOTICE

We may update or revise this privacy notice from time to time and will provide supplementary privacy information as is necessary.