

# Leicester City Council - 2021-2022

## Privacy Notice (How we use pupil information)

Leicester City Council collects and holds personal information relating to our pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE).

### The categories of pupil information that we collect, hold and share include:

- Personal information (ie: name, unique pupil number, contact details and address)
- Characteristics (ie: ethnicity, language, nationality, country of birth & free school meal)
- Attendance information (ie: sessions attended, number of absences and reasons)
- Assessment information (such as teacher assessments, test and examination results)
- Relevant medical information
- Information relating to SEND
- Behavioural information (such as number of temporary exclusions)

### Why we collect and use this information

We use the children and young person's data:

- to enable us to carry out specific functions for which we are responsible
- to manage and monitor regulatory, licensing and enforcement functions
- to comply with our responsibilities for the prevention and detection of crime
- to derive statistics which inform decisions such as the funding of schools and managing traded services
- for data research and statistical purposes
- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess performance and to set targets for schools
- to assess the quality of our services
- to comply with the law regarding data sharing

### The lawful basis on which we use this information

We collect and use pupil information under the submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under [Section 537A of the Education Act 1996](#).

Putting the school census on a statutory basis:

- means that schools do not need to obtain parental or pupil consent to the provision of information

- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils
- helps to ensure that returns are completed by schools

## Collecting pupil information

Whilst the majority of children and young person's information you provide 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.

## Storing pupil data

We hold children and young person's data for:

Local authority:	current years + 6 years
Primary school:	return whilst the child remains at the primary school after which the file should be transferred to the next school (primary, secondary or PRU) or to the local authority.
Secondary school:	Date of birth of the pupil +25 years]

## Who we share pupil information with

We routinely share pupil information with:

- the Department for Education (DfE) – on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.
- 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 and/or post-16 provision that the pupil attends this includes assessment information and relevant safeguarding information
- Connexions (which is part of the local authority) in order to comply with our legal obligations for statutory data returns such as School Census
- Leicestershire Partnership NHS Trust for delivery of child health services, such as inoculation programmes and school nurses. They also use information about pupils for data research and statistical purposes.
- NHS Digital for analysing and presenting a range of health & social care data, including height and weight of pupils
- Education Skills Funding Agency (ESFA) and Learning Records Service (LRS)
- Leicester Education Strategic Partnership (LESP), including Leicester Primary Partnership (LPP) and the Education Improvement Partnership (EIP)
- Leicestershire Police

See Appendix B for full details.

## Education and training

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 educational need or disability). Under parts 1 and 2 of the Education and Skills Act 2008, education institutions and other public bodies (including the Department for Education (DfE), police, probation and health services) may pass information to us to help us to support these provisions.

## Youth support services and pupils aged 13+

Once our pupils reach the age of 13, we pass their contact details to 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 of youth support service and careers advice.

A parent / guardian can request that **only** their child's name, address and date of birth be passed to their provider of youth support services by informing us at Leicester City Council. This right is transferred to the child/pupil once he/she reaches the age of 16.

## Pupils aged 16+

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

For more information about services for young people, please visit [www.leicester.gov.uk](http://www.leicester.gov.uk).

## Why we share pupil information

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.

We do not share information about children and young people without consent unless the law and our policies allow us to do so.

## Data collection requirements:

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## 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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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 and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

## Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record held by their education provider, contact:

### Information Governance

Information & Support

Leicester City Council

City Hall

115 Charles Street

Leicester

LE1 1FZ

Website: [www.leicester.gov.uk](http://www.leicester.gov.uk)

Email: [info.requests@leicester.gov.uk](mailto:info.requests@leicester.gov.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, restricted, exported 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 request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at [www.ico.org.uk](http://www.ico.org.uk)

## Further information

If you would like further information about this privacy notice, please contact:

The Data Protection Officer

Leicester City Council

[data-protection-officer@leicester.gov.uk](mailto:data-protection-officer@leicester.gov.uk)

## Appendix A – lawful basis to share details with the local authority

### On/Off Roll Details

Section 436A of the Education & Inspections Act 2006 places a duty on all schools and local authorities to make arrangements to identify children not receiving education. Also relevant are the Education (Pupil Registration) (England) Regulations 2006 which govern the circumstances in which a pupil may be placed on or removed from a school register. The 2016 amendment to the Education (pupil Registration) (England) Regulations 2006 which requires all schools within an LA to share changes to the school roll with the relevant LA. This enables the school and the local authority to ensure that all children are in receipt of suitable education. The LA exerts its right under this legislation to request the details of pupils who start the school in the first year of admission for the school.

From 2007 there has been a statutory duty on all Local Authorities in England and Wales to have systems and procedures in place to monitor Children Missing Education (*current guidance Children missing education - Statutory guidance for local authorities September 2016*). Since this 2007 the local authority has maintained records of the education provision of all children in the city known to Education services. Work has been undertaken by schools, the Education Welfare Service and CME Information Officers with the aim of ensuring that all children who leave our schools safely enter the education system in their new location.

The duty to share information with the LA on children with irregular attendance is stated in section 12 of the Education (Pupil Registration) (England) Regulations 2006. With regards to children not attending full-time, Ofsted takes the view that there is an obligation for all schools to notify the local authority of any such arrangements for their pupils. This obligation was detailed for the first time in the Ofsted report Pupils Missing Out on Education in November 2013. This includes all schools including both maintained and independent Schools.

### Key Stage Data Collections

The Assessment and Reporting Arrangements (ARA) Early Years Foundation Stage – this states that all providers, schools and academies have a statutory duty to submit EYFS Profile data to their geographic local authority. The LA then has a corresponding duty to submit that information to the Department. The ARA is issued by the Department for Education based for the following legal status:

- Section 39(1)(a) of The Childcare Act 2006 stipulates that Early Years providers must secure that their provision meets the learning and development requirements as specified in the EYFS (Learning and Development Requirements) Order 2007 (S.I. 2007/1772) (amended in 2012). The Act states that this Order can specify the arrangements which are required for assessing children for the purpose of ascertaining what they have achieved in relation to the ELGs.

- All English local authorities must have regard to any guidance given by the STA in exercising their function under the EYFS (Learning and Development Requirements) Order 2007, article 4.2. The learning and development requirements are given legal force by an Order made under section 39 (1)(a) of the Childcare Act 2006.
- Academies are required to implement the requirements of the EYFS as set out in section 40 of the Childcare Act 2006 and must comply with local authority moderation requirements. All registered Early Years providers are required to complete the EYFS assessment for any children in the final year of the EYFS and to participate in moderation. This includes an academy providing for children in the final year of the EYFS.

The Standards and Testing Agency (STA) sets out the options for academies regarding Key Stage 1 data (including Year 1 Phonics check) in the Key Stage 1 Assessment and Reporting Arrangements. This document contains provisions made pursuant to article 9 of The Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 2004, as amended. This order is made under section 87(3) of the Education Act 2002. This document gives full effect to, or otherwise supplements, the provisions made in the order and as such has effect as if made by the order.

The Standards and Testing Agency (STA) sets out the options for academies regarding Key Stage 2 data in the Key Stage 2 Assessment and Reporting Arrangements. This document contains provisions made pursuant to article 11 of The Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003, SI 2003/1039 (as amended by SI 2009/1585, SI 2010/290, SI 2010/677, SI 2011/2392, SI 2012/765 and SI 2012/838). This order is made under section 87(3) of the Education Act 2002. This document gives full effect to, or otherwise supplements, the provisions made in the order and as such has effect as if made by the order. This assessment and reporting arrangement (ARA) also contains guidance and information that does not form part of the law.

The ARAs are reviewed annually and this agreement covers the current Arrangements at the time of the data collection request.

### **Other statutory data for providing services**

The Department provides an online Free School Meal Eligibility Checking Service (FSM ECS) which allows local authorities to check whether pupils in their area are entitled to free school meals when they make an application. The system checks information held by the relevant government departments and gives a speedy response, meaning a claim made on the FSM ECS one morning can result in a pupil getting their first free meal the next day. However, the ECS is only available to LAs, and the service management and infrastructure have been developed on that basis. Academies can check claims using paper proof of benefit, but this is not an ideal solution as paper claims can typically take two weeks to be cleared. As an alternative, many academies have come to an agreement with their geographic LA to carry out checks on their behalf.

This data would facilitate the local authority to promote or improve the economic, social and environmental wellbeing of children and families. This will include the provision of improvements to educational opportunity as well as the reduction or elimination of risk factors for children within Leicester, (Section 2, Local Government Act 2000). This data would support the local authority to perform its functions of providing services to children and families under Part III, Section 27, of the Children Act 1989.

This information would also contribute to ensure the provision of appropriate services for all children and young people 'in need' or at risk or likely to be at risk of suffering significant harm (Sections 17(1) and 47 (1) of the Children Act 1989) or otherwise considered to be at risk of social or educational exclusion.

Leicestershire Partnership NHS Trust use information about pupils for a range of school delivered child health services such as inoculation programmes. They also use information about pupils for data research and statistical purposes, to monitor the performance of local health services and to evaluate and develop those services. Statistics are used in such a way that individual pupils cannot be identified. Information on the height and weight of individual pupils may however be provided to children and their parents and this will require Leicestershire Partnership NHS Trust to maintain details of pupils' names for this purpose for a period designated by the Department of Health following the weighing and measuring process. Leicestershire Partnership NHS Trust may also provide individual schools and LAs with summary information on pupils' height and weight but will do in a way that means that individual pupils cannot be identified.

## **Legal obligation or public task under various laws including, but not limited to:**

- The Education Act 1944, 1996, 2002
- The Education & Adoption Act 2016
- The Education (Information About Individual Pupils) (England) Regulations 2013
- Education and Skills Act 2008
- Education (Pupil Registration) (England) Regulations 2006
- Statutory Guidance for Local Authorities in England to Identify Children Not Receiving Education – February 2007)
- Education and Inspections Act 2006
- The Children Act 1989, 2004
- The Childcare Act 2006
- The Children & Families Act 2014
- Local Safeguarding Children Boards Regulations 2006 (SI 2006/90)
- The Localism Act 2011
- Contract (traded services)



## Appendix B – Who we share our data with

Pupils, as data subjects, have certain rights under the General Data Protection Regulation, including a general right of access to personal data held on them, with parents exercising this right on their behalf if they are too young to do so themselves. If you wish to access the personal data held about yourself or your child, then please contact the relevant organisations listed below in writing.

### Local authority

The Local Authority (LA) uses information about children and families for whom it provides services to carry out specific functions for which it is responsible, such as the assessment of any special educational needs or the provision of careers advice and other support services.

The Local Authority wants to be able to provide appropriate, timely and effective services - it is important to us that we co-ordinate what we do for you properly. To do this, we share basic information such as name and address between services within the Local Authority. This is so that we can keep our information as up-to-date as possible and so that we can improve our services to you. Even though our systems are joined-up, we ensure that staff within the council can only access the information they need to do their job.

The Local Authority also uses information to derive statistics to inform decisions on (for example) the funding of schools, and to assess the performance of schools and set targets for schools. Statistics are used in such a way that individual children cannot be identified.

### Information Governance

Legal Services

Leicester City Council

City Hall

115 Charles Street

Leicester

LE1 1FZ

Website: [www.leicester.gov.uk](http://www.leicester.gov.uk)

Email: [info.requests@leicester.gov.uk](mailto:info.requests@leicester.gov.uk)

### Connexions

The Connexions Service in Leicester is now a part of the Local Authority. This service is responsible for delivering information, advice and guidance to young people aged 13 and over and to promote effective participation in education, employment or training. For more information about the Connexions Service in Leicester, go to:

[www.leicester.gov.uk/connexions/](http://www.leicester.gov.uk/connexions/)

The Connexions Service passes on some information to the Department for Education (DfE) to enable them to assess the local authorities' performance and determine the destinations of young people after they have left compulsory education. If you require more information about how the DfE store and use your information then please go to the following website: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

## NHS

Leicestershire Partnership NHS Trust use information about pupils for a range of school delivered child health services such as inoculation programmes, school nurses and health visitors. They also use information about pupils for data research and statistical purposes, to monitor the performance of local health services and to evaluate and develop those services. Statistics are used in such a way that individual pupils cannot be identified. Information on the height and weight of individual pupils may however be provided to children and their parents and this will require Leicestershire Partnership NHS Trust to maintain details of pupils' names for this purpose for a period designated by the Department of Health following the weighing and measuring process. Leicestershire Partnership NHS Trust may also provide individual schools and LAs with summary information on pupils' height and weight but will do in a way that means that individual pupils cannot be identified.

### **Customer Services Manager**

Leicestershire Partnership NHS Trust

Lakeside House,

4 Smith Way Grove Park,

Enderby

Leicestershire

LE19 1SS

Website: [www.leicspart.nhs.uk](http://www.leicspart.nhs.uk)

Email: [customerservices@leicspart.nhs.uk](mailto:customerservices@leicspart.nhs.uk)

Tel: 0116 2950830

## NHS Digital

NHS Digital (formerly The Health and Social Care Information Centre) was set up as an Executive Non Departmental Public Body in April 2013. The Health and Social Care Act 2012 sets out the responsibilities of NHS Digital, which includes the collecting, analysing and presenting of a range of health and social care data. NHS Digital is responsible for analysing the data collected nationally on the height and weight of pupils but will do so in a way that means that individual pupils cannot be identified.

The Child Protection Information Sharing project is an NHS England initiative that will help to improve the protection of children who are in the care of the local authority or for whom there is a child protection plan. The identities of these children will be shared securely with NHS Digital. This information will then be made accessible to health care professionals

providing urgent and unscheduled care such as accident and emergency departments and walk-in centres on a need to know basis. The local authority will be made aware if a health professional has accessed a record, the allocated social worker may subsequently conduct enquiries with the interested parties.

### **Information Governance Compliance Team**

NHS Digital

1 Trevelyan Square

Boar Lane

Leeds

LS1 6AE

Website: <https://digital.nhs.uk>

Email: [enquiries@nhsdigital.nhs.uk](mailto:enquiries@nhsdigital.nhs.uk)

## **Education and Skills Funding Agency**

The Education and Skills Funding Agency uses learner information to fulfil its statutory functions, issue/verify your Unique Learner Number (ULN) and update/check your Personal Learning Record. The Education and Skills Funding Agency may share your ULN and Personal Learning Record with other education related organisations, such as your careers service, school, college, university, Government Departments and public bodies responsible for funding your education. Further details of how your information is processed and shared can be found at:

### **Learning Records Service**

Education Skills Funding Agency

Cheylesmore House

Quinton Road

Coventry

CV1 2WT

Website: <https://www.gov.uk/government/publications/lrs-privacy-notice>

Email: [lrssupport@learningrecordsservice.org.uk](mailto:lrssupport@learningrecordsservice.org.uk)

Tel: 0345 377 5000

## **Leicester Education Strategic Partnership**

Leicester Education Strategic Partnership (LESP), (including Leicester Primary Partnership (LPP) and the Education Improvement Partnership (EIP)) use relevant information about pupils to facilitate those subscribing establishments to implement appropriate support measures. Key stage and other performance data results are shared at an aggregated level.

### **Information Manager**

LPP

School Development Support Agency

Bishop Street

### **Information Manager**

LESP / EIP

Soar Valley College

Gleneagles Avenue

Leicester  
LE1 6AF

Leicester  
LE4 7GY

## Leicestershire Police

Leicestershire Police use information about children who have taken large amounts of unauthorised absence from school. This information helps to inform beat teams of young people who may be being placed at risk by not being present at an educational establishment without permission.

### Information Manager

Leicestershire Police  
Force Headquarters  
St Johns  
Enderby  
Leicester  
LE19 2BX

<https://leics.police.uk/join-us/how-contact-us>

## Post-16 Providers

Leicester City post-16 schools and 6th form/FE colleges use relevant information about school-leavers who have accepted a place on their courses. This is to facilitate those establishments to implement appropriate transitional support measures. End of Key Stage 4 examination results are shared unless the young person opts out of this arrangement. Safeguarding information where relevant is also shared.

Leicester City post-16 schools and 6th form/FE colleges share data with Leicester City council. Information on school-leavers who have accepted places on courses are shared along with an indicator for the level of the main programme of study. This facilitates research into the progression of young people to courses at a level below that which might be expected. Research findings are reported in such a way that individual young people cannot be identified from them.

### City of Leicester College

Downing Drive  
Evington  
Leicester  
LE5 6LN

Email: [office@cityleicester.leicester.sch.uk](mailto:office@cityleicester.leicester.sch.uk)

Tel: 0116 2413984

### English Martyrs' Catholic School

Anstey Lane  
Leicester  
LE4 0FJ

Email: [office@englishmartyrs.leicester.sch.uk](mailto:office@englishmartyrs.leicester.sch.uk)

Tel: 0116 2428880

### **Gateway College**

Colin Grundy Drive

Leicester

LE5 1GA

Email: [admin@gateway.ac.uk](mailto:admin@gateway.ac.uk)

Tel: 0116 274 4500

### **Leicester College**

St John Street

Leicester

LE1 3WL

Email: [info@leicestercollege.ac.uk](mailto:info@leicestercollege.ac.uk)

Tel: 0116 224 2240

### **New College Leicester**

Glenfield Road

Leicester

LE3 6DN

Email: [office@newcollege.leicester.sch.uk](mailto:office@newcollege.leicester.sch.uk)

Tel: 0116 231 8500

### **Regent College**

Regent Road

Leicester

LE1 7LW

Email: [admin@regent-college.ac.uk](mailto:admin@regent-college.ac.uk)

Tel: 0116 255 4629

### **St. Paul's Catholic School**

Spencefield Lane

Evington

Leicester

LE5 6HN

Email: [office@st-pauls.leicester.sch.uk](mailto:office@st-pauls.leicester.sch.uk)

Tel: 0116 241 4057

### **Wyggeston & Queen Elizabeth I College**

University Road

Leicester

LE1 7RJ

Email: [admin@wqeic.ac.uk](mailto:admin@wqeic.ac.uk)

Tel: (0116) 2471147