

Fair Processing Notice – Child Employment & Performance Licences

1. Why do we collect and keep your personal information?

We collect and use your personal information so that we can consider and process your completed licence applications; child employment and performance. The processing of your data is because we have a legal obligation to do so and it is necessary for the performance of the task. The employment of children of compulsory school age (generally speaking, those under the age of 16) is restricted by provisions under Part II of the Children and Young Persons Act 1933 (CYPA 1933) and Part 11 of the Children and Young Persons Act 1963 (CYPA 1963). The data collected includes personal details, contact details, employment details and hours of work.

Under section 25 CYPA 1933 and Section 37 of CYPA 1963, children may also be employed to take part in performances, whether live or broadcast, and in certain circumstances to travel abroad for these purposes, a licence must be issued by the local authority for the area in which they reside. The data collected will include personal details, contact details, employment/performance company's details and details of the performance.

2. How Information for Child Employment & Performance Licences is used.

The information that you provide will be processed according to the General Data Protection Regulations 2016. We will not make any disclosures to third parties for marketing purposes.

Under section 559 of the Education Act 1996 if we feels that a child's employment is interfering with their education or is prejudicial to their health we can serve a notice on the employer imposing restrictions on the employment of the child or prohibiting them from employing the child at all. We will also make any disclosures required by law for safeguarding /child protection purposes and we may also share this information with other bodies responsible for detecting/preventing fraud or auditing/administering public funds to ensure money is targeted and spent in the most appropriate and cost effective way. In order to achieve this, information may be shared with other internal departments within Pembrokeshire County Council and The Auditor General for Wales.

We may use statistical data to inform decisions, e.g. education funding or effectiveness of educational services. Child data may also be shared with Welsh Government departments/agencies, e.g. for statistical or research purposes. In all these cases data will not be processed in such a way that it identifies individuals in any results.

Your data will be secure and confidential at all times and we will only collect the personal information that is required to administer our legal education responsibilities.

3. How long do we keep hold of your information?

Information is retained by the authority until the child is 25 unless the child has had a statement of special educational needs or has been in local authority care in which case longer statutory data retention rules apply. It is then deleted or destroyed securely. Please contact us if you require further information on the retention rules that apply.

4. Access to my personal information?

You can find out if we hold any personal information by making a subject access request under the General Data Protection Act Regulations 2018. To make a request for any personal information we may hold you need to put your request in writing addressing it to:

Access to Records Team
Pembrokeshire County Council
County Hall
Haverfordwest

5. Your Rights.

Under the General Data Protection Regulations 2018, you have rights as an individual which you can exercise in relation to the information we hold about you, not all rights will apply it will depend on the legal basis for processing your data.

- The right to be **Informed** – Individuals have the right to be informed about the collection and use of their personal data. This is a key transparency requirement under the GDPR
- The right of **Access** – you are entitled to request access to and a copy of, information we hold about you
- The right to **Rectification** – you have the right to ask to have your information corrected.
- The right to **Erasure** – this is not an absolute right and will depend on the reason for processing your personal information
- The right to **Data Portability** – This only applies to data processing that is carried out by automated means
- The right to **Restrict** processing may apply – you may request that we stop processing your personal data however, this may delay or prevent us delivering a service to you. We will seek to comply with your request but may be required to hold or process information to comply with our legal duties.
- The right to **Object** – this is not an absolute right and will depend on the reason for processing your personal information.

6. Complaints or Queries.

Pembrokeshire County Council endeavours to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this seriously. We encourage people to bring to our attention if they believe that our collection or use of information is unfair, misleading or inappropriate.

This privacy notice does not provide exhaustive detail of all aspects of our collection and use of personal information. However we are happy to provide any additional information or explanation needed. Any requests for this should be sent to the address below:

Jo Hendy, Data Protection Officer
Pembrokeshire County Council
County Hall
Haverfordwest
SA61 1TP

Email: dataprotection@pembrokeshire.gov.uk

Telephone: 01437 764551

If you want to make a complaint about the way we have processed your personal information, you can contact the Information Commissioner's Office as the statutory body which oversees data protection law:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Email case worker@ico.org.uk Telephone No: 0303 123 1113

7. Changes to this privacy notice.

We keep our privacy notice under regular review.