

Fair Processing Notice - Inclusion and Children with Disabilities Service

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

We collect and use your personal information so that members of the Inclusion Service, including the Advisory Teachers, Behaviour Support Service, Outreach Workers, Activities Service, Early Years Paly and Childcare Service, Parent Partnership, School Counselling, Educational Psychologists, Inclusion Support Panel and Specialist Placement Panel can use the information gathered to discuss your child's needs and give appropriate advice and support. This may also include the assessment of your child if they have a learning difficulty with calls for special educational provision which may include a Statutory Assessment.

The Processing of your data is:

- Because it is necessary for the performance of this task to do so
- Because we have a legal obligation to do so under SEN Code of Practice for Wales
- Because you have given your explicit consent to marketing and or digital communication

Under the General Data Protection Regulation (GDPR), the conditions under Article 9 we rely on for processing pupil information are:

- Because you have given your explicit consent to do so
- Because it is necessary for us to carry out our specific obligations as data controller to do so (e.g. some data held in your pupil record)
- Reasons of substantial public interest (equality of opportunity or treatment).
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2. Information collected by us

In the course of providing support we may collect the following personal information you provide to us:

- personal information (such as name, address, contact details, date of birth, gender)
- special category characteristics (such as ethnicity, religion, medical information)
- reasons for support (such as concerns about learning, areas that require support and change)
- assessment and plan information (such as further details of barriers to learning, strengths and needs, interventions and next steps to support outcomes)
- images, video and audio recordings, digital and paper records that support our work with you.

We also obtain personal information from other sources as follows:

- current and previous involvement from other organisations (such as paediatricians, speech and language therapists, teachers, social workers)
- schools and other setting information (such as attendance and exclusion information, national curriculum and exam attainment and progress)
- involvement with other PCC children's services from our existing records

3. How information about you is used.

The information that you provide will be processed according to the General Data Protection Regulations 2016 and the SEN Code of Practice for Wales.

We have a duty to protect the public funds we administer and may use the information provided by you on the Inclusion Service Referral Form and the Inclusion Service and Communication Forum Request for Involvement/Referral Form to fulfil that function. We will cross check the information with other sections of Pembrokeshire County Council and other Councils if relevant.

We will also make any disclosures required by law 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 with The Auditor General for Wales.

We will not make any disclosures to third parties for marketing purposes.

You and your child's data will be secure and confidential at all times and we will only collect the personal information that is required to assess your child's entitlement to support from the Inclusion Service.

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

We will retain the information provided to us for 25 years after your child's date of birth is unless it is subject to legal action, you and your child's information will be securely destroyed after this period. Special Educational Needs information will be retained for 30 years after your child's date of birth.

5. 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 Regulations 2016. To make a request for any personal information we may hold, you need to contact:

Access to Records Team
Pembrokeshire County Council
County Hall
Haverfordwest
SA61 1TP
 accesstorecords@pembrokeshire.gov.uk
 01437 775798

5. Your Rights.

Under the General Data Protection Regulations 2016, you have rights as an individual which you can exercise in relation to the information we hold about you and/or your child:

- The right of **access** – you are entitled to request access to, and a copy of, the information we hold about you and/or your child.

- The right to **rectification** – you have the right to ask to have your, and/or your child's, information corrected if it is found to be inaccurate.
- The right to **restrict** processing – you may request that we stop processing your, and/or your child's, personal information however, this may delay or prevent us delivering a service to your child. 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** – you have a right to object to the processing of your, and/or your child's, personal information.
- The right to **erasure** - you may request that we erase you or your child's personal data however, this may delay or prevent us delivering a service, or continuing to deliver a service, to your child. 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 **data portability** – you have the right to request transfer of you, and/or your child's, information without detriment.
- The right to not be subject to **automated decision making and profiling**.

The right to **withdraw consent** – you may withdraw your consent for us to process your information at any time however, this may delay or prevent us delivering, or continuing to deliver a service, to your child. We will seek to comply with your request but may be required to hold or process information to comply with our legal duties.

To make a request in relation to any of your rights please contact:

Inclusion Service
 Education Department
 Pembrokeshire County Council
 County Hall
 Haverfordwest
 SA61 1TP

✉ business.support.unit.children&schools@pembrokeshire.gov.uk

☎ 01437 764551

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

✉ dataprotection@pembrokeshire.gov.uk

☎ 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

✉ work@ico.org.uk

☎ 0303 123 1113

7. Changes to this privacy notice.

We keep our privacy notice under regular review.