

PRIVACY NOTICE FOR HARTLEPOOL ONE STOP SHOP

What is the purpose of this document?

Hartlepool Borough Council (HBC) is committed to protecting the privacy and security of your personal information.

This privacy notice is issued in accordance with the General Data Protection Regulation (GDPR) and describes how we collect and use personal information about you to enable us to support young people in to education, employment or training and offer the right level of support needed to enable that young person to progress. Data is also used to evidence the work we, as a service do with young people and enables us to monitor and evaluate progress.

Guidance is issued to local authorities under sections 18 and 68(4) of the Education and Skills Act 2008 (ESA 2008) in relation to sections 10, 12 and 68 of that Act, which requires local authorities to track the activity of young people in education, employment or training. This data is shared with DfE and it is essential that information collected and provided is accurate. Schools also have new duties under the statutory guidance 'Careers guidance and access for education and training providers to also track the activity of former students.

Each year, local authorities undertake an Annual Activity Survey for all young people who left statutory education in the previous academic year. This is a snap shot of what the young people were doing on the 1st of November. It is therefore, necessary for compliance under the guidance provided from National Client Caseload Information System for Hartlepool Borough Council to share this information with the school that the young person attended in their final year of education to ensure that the information is accurate and so both Hartlepool Borough Council and local schools can fulfil their duties.

This notice applies to information we hold about you.

We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

The Data Protection Legislation

We will comply with data protection law which includes the GDPR and the Data Protection Act 2018 which states that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

No personal information held by us will be processed unless the requirements of the Data Protection legislation for fair and lawful processing can be met.

Who is the Data Controller?

HBC is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

Who is the Data Protection Officer?

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this notice or how we handle your personal information, please contact the DPO:

Laura Stones, Scrutiny and Legal Support Officer
Hartlepool Borough Council
Civic Centre
Hartlepool
TS24 8AY

dataprotection@hartlepool.gov.uk

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues.

What kind of information we hold about you?

Personal Information

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

How we use particularly sensitive information

”Special categories” of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our data protection policy.
3. Where it is needed in the public interest

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

HBC’s Obligations

What are HBC’s obligations?

We will collect, store, and use the following categories of personal information about you:

- Your personal details including name, date of birth, emergency contact and address and telephone number
- Parental or carer contact details
- Sibling links
- Education, Employment or Training establishment attended both current and previous
- Any benefit claims active
- GCSE and any other exam results or attainments achieved
- Any other information kept about you will be information that you have given us when talking to your family support worker

- We may also collect, store and use the following “special categories” of more sensitive personal information:
 - Education, Care and Health Plan
 - Details on your medical needs

- Information about your gender, race or ethnicity, religious beliefs, sexual orientation and political opinions, disability status
- Information about your health, including any medical condition
- Information about criminal convictions and offences (see below)
- Details about your personal circumstances, including any dependent children, any supportive interventions and other professional involvement

As part of the local authorities arrangements to support young people in to education, training or employment we collect the above information so we can support the young person and their family based on their needs. In order to make sure that the support is pitched at the correct level we would record these details in the young person's individual records.

Information about Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

We will only collect information about criminal convictions if it is appropriate. Where appropriate, we will collect information about criminal convictions as part of the recording and monitoring process of the NEET cohort . We will use information about criminal convictions and offences in the following ways:

- In order to safeguard
- To make sure we are referring young people in to an appropriate education or training setting

We are allowed to use your personal information in this way to carry out our legal obligations.

How is your personal information collected?

- We collect personal information using a range of methods. These are:
- Individual 1:1 basis – based on what the young person tells us
- Information from schools, colleges, employers and training providers
- Information from job centre plus
- A range of other professional agencies involved with that young person or family
- Assessment tools, example: Early Help Module

Local authorities have a duty under the education and Skills Act 2008 to maintain an accurate and up to date tracking system in order to monitor the progression of the post 16 cohort. In order to make sure the support is pitched at the right level we would collect the above data to support young people in this process.

How we will use information about you?

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

(a) where you have given clear consent for us to process your personal data for this specific purpose (CONSENT)

(b)where the processing is necessary for us to comply with the law (LAW) namely the Children's Act and the Education and Skills act 2008(PUBLIC TASK)

(c) where the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law namely the Children's Act and the Education and Skills act 2008(PUBLIC TASK)

We may also use your personal information in the following situations, which are likely to be rare:

(a)where the processing is necessary to protect someone's life. (VITAL INTERESTS)

Situations in which we will use your personal information

We need all the categories of information in the list above (see *What kind of information we hold about you?* above) primarily to allow us to

- To assess your support needs
- To enable and assist you to progress in to education, employment or training
- To liaise with other agencies who may also be supporting your needs
- To provide a statutory update on your current education, employment or training destination
- The only reason information could be passed on without your permission is if there is a legal requirement for us to do this or if there is a risk of serious harm or threat to your or someone else's life

The situations in which we will process your personal information are listed below.

Reason for Processing	Legal Basis e.g Public Task/Contract etc
To provide a service to support young people in to education, employment or training as a statutory requirement	Legal Obligation/Public Task
To assess the level of support needed in order to provide a service that supports all young people – ie use of Early Help Assessments	Consent
To ensure we meet your needs and liaise with other agencies where we have a statutory duty to do so	Legal Obligation
To ensure the service we are offering meets individual needs and young people can progress making the right informed decisions for their future	Public Task
To safeguard children and young people	Legal Obligation
Consent to process information from the young person: college applications, benefits, or acting on the young person's behalf etc	Consent
To enable and assist young people in to education, employment and training we would process information with the consent of the young person. Any safeguarding concerns would fall under our statutory duty.	Consent

Some of the above grounds for processing will overlap and there may be more than one ground which justifies our use of your personal information.

What if I don't want to provide personal information?

If you fail to provide certain information when requested, we may not be able to provide a service or support you based on your needs. We may be prevented from complying with our legal obligations in terms of our statutory responsibility to make plans to support young people in to a positive destination post 16.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Does HBC need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights as required by law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

Automated Decision Making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Data Sharing

We may have to share your data with third parties, including third-party service providers and other entities in the group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We will not transfer your personal information outside the EU.

Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law or where it is necessary to support you to progress in to education, employment or training and to keep you safe from harm . Examples of the organisations we may need to share information with are:

Schools, colleges and training providers

Social care

Early help

Health – sexual health services, GP, drug and alcohol services, accident and emergency and any other specialist services required

CAMHS

Youth Offending, police and antisocial behaviour teams, probation services

Harbour

Middleton grange shopping centre

Reporting to committee (although data is anonymised)

Job centre plus

Any other relevant agency

Which third-parties process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents). The following third-parties process personal information about you for the following purposes:

Schools , colleges and training providers -to enable you to progress to education, employment or training

All agencies working with the young person in order to safeguard

To offer support at the right level

To report on statutory responsibilities

To offer opportunities that may be beneficial

Liquid logic (EYES, ICS) as part of the monitoring and tracking system and to provide information for statutory returns

Northgate - The Council's ICT provider may have access to systems on occasions where there is a fault

How secure is my information with third-party service providers?

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Data Security

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal

information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the Data Protection Officer.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data Retention

How long will you use my information for?

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 legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from www.hartlepool.gov.uk/retention-schedules. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Rights of Access, Correction, Erasure and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Officer in writing.

For further information on your rights please visit: www.hartlepool.gov.uk/GDPR

No fee usually required

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 for photocopying.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Changes to this Privacy Notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact the DPO.