



Privacy Policy and Privacy Notice:

Children, education and early
help services

SUMMARY

This document sets out BFFC's position in relation to privacy of the data it holds

OWNER

Compliance Group

VERSION

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PRIVACY POLICY

This policy is intended to ensure that personal data is dealt with correctly and securely and in accordance with the DPA, UK GDPR and other related legislation. It will apply to information regardless of how it is collected, used, recorded, stored, and destroyed or deleted, and irrespective of whether it is held in paper files or electronically.

Providing accessible information to individuals about the use of their personal data is a key element of their legal right to transparency as set out in the UK GDPR regulation (UK GDPR).

Data Controllers and Data Processors are responsible for providing this information. The Company is classed as a data controller and may also be a data processor and as such, they have a duty to inform children, young people, families, and staff (known as Data Subjects) on how they process the data that is within their control.

If you have any queries in relation to data protection, please contact us at:
info@BrighterFuturesforChildren.org

PRIVACY NOTICE

As a children services organisation, we will need to collect individual information on children, young people, and families, as well as staff for several reasons. Our privacy notice details the purpose of the processing as well as the lawful basis for processing.

What personal data is held?

We only obtain and use the information we need to provide our services to you. In the course of our operations as a children's service organisation, providing support for a child, young person and their family, we collect different types of information depending on the circumstances. This may include but is not limited to the following:

- Personal information such as name, address, date of birth, contact details, passport details, birth certificates, unique personal identifiers such as NHS number, NI number, UPN
- Characteristics information such as gender, age, ethnic group, disability, languages spoken
- Family information such as family relationships and other data necessary for the provision of the service
- Specific information such as Special Education Needs, disability data, medical information, educational information
- Care and case details such as young carer details, registration details, references, bank details for carers/looked after children/care leavers/special guardianships/childminders/nursery day care settings
- Other relevant details such as criminal proceedings, outcomes, and sentences and information about offences or alleged offences

The Company also needs to collect, process, and hold information in relation to our workforce. The purpose of processing this data is to assist the Company in the running of the organisation as an employer. The categories of workforce information we collect, process and hold include but is not limited to:

- Personal information such as name, marital status, employee or employee number, national insurance number, contact details, bank account details, DBS information, next of kin and emergency contacts numbers
- Contract and payroll information such as start date, hours worked, post, roles, salary, national insurance, pension benefits and tax status information
- Recruitment information such as qualifications (where relevant subjects taught), training and professional membership, references, right to work and other information as part of the application process
- Special categories of data including characteristics information such as gender, age, ethnic group, health data etc.
- Work absence information such as number of absences and reasons, details of periods of leave taken by you including holiday and other leave
- Performance information such as appraisals, performance related information and other correspondence relating to disciplinary and / or grievances
- Relevant medical information provided by you
- Biometric and identify cards information
- CCTV footage and / or images
- Live streaming platforms or recorded meetings/sessions (you will be advised if meetings are recorded)

Special category personal information: Our service also needs to use sensitive personal data also called “special category data” which requires more protection to keep it safe. This is often information you would not want to be widely known and is very personal to you. It includes:

- sexuality or sexual health
- religious or spiritual or philosophical beliefs
- ethnicity
- physical or mental health
- trade union membership
- political opinions
- genetic or biometric data
- criminal history

Why we collect and use personal data?

We only obtain and use the information that is essential to run the Company’s operations as a children’s service organisation. Data collected is used to:

- Support children, young people, and families by carrying out specific functions for which we are responsible
- Derive statistics to fulfil our statutory duties and returns and inform decisions such as the funding
- Assess performance, set targets, and improve services



We process personal information about children and young people we help, parents of children we help, witnesses and victims, offenders, and suspected offenders. This enables us to manage children and young people subject to an offending prevention programme as part of either a voluntary arrangement or a statutory order.

We also collect and use workforce data to:

- fulfil our statutory obligations as an employer
- enable the development of a comprehensive picture of the workforce and how it is deployed
- maintain accurate workforce records including emergency contact details and records of contractual and statutory rights
- enable individuals to be paid and administer pension and other benefits
- facilitate safer recruitment as part of our safeguarding responsibilities
- operate and keep a record of absence management and other types of leave including maternity, paternity, and parental leave
- obtain occupational health advice and to ensure we are meeting obligations under health and safety law
- inform the development of recruitment and retention policies
- improve the quality of teaching and learning through effective support and training
- provide access to facilities such as building / room access, print facilities, library and catering facilities
- to create IT accounts, manage user groups and secure our key learning technologies (Microsoft Teams etc.)
- support the work of the nationally recognized union bodies
- to provide references
- to be able to respond to and defend legal claims

What is the legal basis for the collection, use and storage of the data?

Data Protection law requires us to have a lawful reason ('lawful basis') for processing the personal data we use. Our processing shall be lawful because at least one of the following will apply:

- a) the data subject has given consent to the Council or the Company for processing of their personal data for one or more specific purposes
- b) the Company is required to collect, use and store data outlined in legislation. These include, but are not restricted to:
 - [The Care Act 2014](#)
 - [Children Act 1989](#)
 - [Special Educational Needs Code of Practice](#) statutory guidance relating to Part 3 Children and Families Act 2014
 - [Crime and Disorder Act 1998 Section 115](#) and [Section 14 of the Offender Management Act 2007](#)
 - [The Fostering Services \(England\) Regulations 2011](#)
 - [Limitation Act 1980 section 2](#)
 - [School Admissions Code 2021](#)
 - [School Standards and Framework Act 1998](#)
 - [School attendance: guidance for schools](#)
 - [HMRC Compliance Handbook CH15400](#)

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- The Education Act 1996
 - Childrens and Family Act 2014
 - Education and Adoption Act 2016
 - The Localism Act 2011
 - Digital Economy Act 2017
 - Welfare Reform Act 2012
 - Section 17 of the Children Act 1989 and Section 11 of the Children Act 2004
 - Brighter Futures for Children also collects and provides information as required by the DfE, Ofsted inspection requirements and [MHCLG for Supporting Families Programme](#).

- c) processing is necessary to protect the vital interests (necessary to protect children from harm) of the data subject or of another natural person
- d) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Company.

In relation to the data we collect, process, and retain for our workforce, the lawful basis we mainly use are:

- To fulfil a contract, we have entered into with you: for example, we need to collect and use your personal information to fulfil the terms of the employment contract we have with you including to be able to pay you and to administer benefits and pensions.
- We need to comply with the law (we have a legal obligation): for example, we collect and use workforce information under legal and statutory obligations within the Keeping Children Safe in Education (KCSIE) statutory guidelines. We are required to check employees' suitability to work with children, their entitlement to work in the UK and to comply with health and safety laws.
- We need to carry out a task in the public interest: For example, where the collection and use of workforce information is necessary for us to perform our role as a children's services provider and to deliver our public task of providing service to our children, young people, and families.
- You have given us consent to use it in a certain way (for example a photo of you for promotional purposes or on our website).
- We need to protect your vital interests (or someone else's interests). This relates to life and death situations.
- It is in ours, or a third party's, legitimate business interests to process the data. Where this is the case, we will ensure that we have considered whether our legitimate interests are overridden by your rights and freedoms as the worker or employee.

How will the data be stored?

Data detailed above will be stored in secure electronic management database systems, portals, spreadsheets stored on internal secure folders and accessed on secure encrypted laptops. All data is stored on secure servers. This privacy policy adheres to our company obligations, as set out in the

Company's information governance framework. The Company's record retention policy details how long we will retain information and when the information will be deleted or destroyed.

Who will it be shared with and for what purpose?

We may share your information but is not limited to the following:

- Department for Education
- Reading Borough Council
- National Health Service
- Child Protection Information Sharing (CP-IS)
- Ofsted
- Schools
- Courts
- Police
- Probation
- Adopt Thames Valley (ATV)
- Youth Justice Board
- eGovonline (E-PEP)
- NCER – National Consortium of Examination Results
- IFA Consortia Board
- Foster Carers
- Fostering Agencies
- Central Government and other Local Authorities
- Ombudsmen and regulatory authorities
- Family, associates and representatives of the person whose personal data we are processing
- Berkshire West Safeguarding Children Partnership Board
- Other partner agencies if/when required, such as private voluntary organisations

Information will be shared due to statutory requirements, legal obligations, progress monitoring and tracking to determine service delivery.

Information will be shared internally if required for better performance and efficiency of company services and the welfare of service users.

How can a current or past service user get access to it?

The form for Subject Access Request (SAR) is [here](#). If you have any questions about SARs, you can email Reading Borough Council's customer relations team, which administers SARs on our behalf. The email address is: SarRequests@reading.gov.uk

We do not transfer data outside the EU. Where consent is required this will be sought. However, some data is required based on statutory requirements, where no consent is required.

Where applicable, the right to withdraw consent at any time will be applied except in the case of statutory requirements.

You have a 'right to be forgotten' so you can ask for your personal information to be deleted where:

- It is no longer needed for the reason why it was collected in the first place

- You have removed your consent for us to use your information and we do not have to keep your information for legal reasons

If we have shared your personal information with others, we will do what we can to make sure those using your personal information comply with your request for erasure.

We may not be able to delete your personal data if it is needed for legal reasons, for reasons of public health, public interest or for medical purposes.

What other rights does the service user have that we have to make known to them?

The right to have their data corrected, the right to have their data deleted and their right to put a complaint to the Information Commissioner's Office (ICO), alongside legal requirements.

Will there be any automated decision making?

There is no automated decision making within the Company (Brighter Futures for Children).

Caldicott Guardian, Children's Services

A Caldicott Guardian is a senior person responsible for protecting the confidentiality of people's health and care information.

The Caldicott Guardian for children's services is the Director of Childrens Service's - Education, Early Help & Social Care.