



Pupil Inclusion Service Privacy Notice

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(Pupil Inclusion Service Privacy Notice)

Wigan Council (“a data controller”) is committed to protecting the privacy and security of your personal information.

The Pupil Inclusion Service is responsible for ensuring that all children who are permanently excluded, at risk of permanent exclusion or who have medical needs can access suitable education within statutory timescales.

Our core obligations under the general data protection regulations (GDPR) and commitments are set out in the [Council's primary privacy notice](#).

This notice provides additional privacy information for:

- Admissions and Inclusion staff, schools, governing bodies, diocesan boards, health, other relevant council departments who provide education services to children in Wigan schools, other local authorities
- Providers of alternative education

It describes how we collect, use and share personal information about you:

- Before, during and after your relationship with us ends and
- The types of personal information we need to process, including information the law describes as ‘special’ because of its sensitivity.

It is important that you read this notice, together with any other privacy information so that you are aware of how and why we use your personal information.

We collect Special Information;

The law treats some types of personal information as ‘special’ because the information requires more protection due to its sensitivity. This information consists of;

- Religious
- Reasons for parental preferences as declared by parents / carers
- Behaviour logs and reports
- Pastoral information
- Medical letters and reports
- Incident reports
- SEND information

Purpose(s)

The main purposes for processing your personal information are:

- Ensuring children and young people have access to appropriate educational provision which is statutory obligation of the Local Authority
- To ascertain appropriate school place offer for children who are being allocated a place using the Fair Access Protocol

Categories of personal data

In order to carry out activities and obligations as a Pupil Inclusion Service we process personal information in relation to:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Personal demographics (including date of birth, gender,)
- Contact details such as names, addresses, personal e-mail address, telephone numbers
- Marital status
- Gender
- Reasons for exclusion and behaviour logs
- Siblings
- Looked after and previously looked after children status
- Education and health care plan status
- Previous school history
- Information submitted by parents / carers on their application for a school place
- Referral forms from support agencies
- Information provided by other education and care agencies

Special Categories

We may also collect, store and use the following "special categories" of more sensitive personal information where they are disclosed by parents/carers school staff, support agencies:

- race;
- ethnic origin;
- religion;
- genetics;
- health;
- sexual orientation.

The legal bases we rely on for processing your personal information are:

- The Education Act 1996
- Alternative Provision guidance 2013
- Exclusion from maintained schools, academies and pupil referral units in England guidance 2017
- Ensuring a good education for children who cannot attend school because of health needs guidance 2013

If we intend to use your information beyond legal obligations or to exercise specific rights we will seek your consent to process your information and full guidance will be provided.

AUTOMATED DECISION-MAKING

All the decisions we make about you involve human intervention.

COOKIES

To find out how we use cookies please [see our cookie notice](#).

DATA SHARING

In addition to the general reasons for information sharing described in the Council's primary privacy notice:

- Schools, Free Schools, Academies
- Other local authorities where required
- Diocesan Boards
- Other Council Teams
- Alternative education providers

We also collect or receive information from external parties such as:

- Schools, Free Schools, Academies
- Other local authorities where required
- Diocesan Boards
- Other Council Teams
- Support agencies and healthcare professionals
- Alternative education providers

DATA RETENTION

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 future legal, accounting, or reporting requirements.

We must continue to retain necessary information in accordance with our corporate records policy to fulfil legal, statutory and regulatory requirements.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

- You have the right to ask for your information and there will not be a charge for you to do so. This is known as a [subject access request](#) and we act in accordance with this policy.
- To ask for your information to be corrected if it is inaccurate or incomplete.
- To ask for your information to be deleted or removed where there is no need for us to continue processing it (right to be forgotten).
- To ask us to restrict the use of your information.
- To ask us to copy or transfer your information from one IT system to another in a safe and secure way without impacting the quality of the information.
- To object to how your information is used.
- To challenge any decisions made without human intervention (automated decision making).

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 if your request for access is in our view unreasonable or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

RIGHT TO WITHDRAW CONSENT AT ANY TIME

Where the legal reason for processing your personal information is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of our processing prior to the withdrawal of your consent.

If you do not provide consent, we may not be able to perform the contract we have entered into with you to provide suitable educational provision, or we may be prevented from complying with our legal obligations (such as to organise alternative provision for a child who has been permanently excluded or is without a school place).

If you wish to withdraw consent you must contact the School Organisation Team – Pupil Inclusion Service in writing who will process your request within 14 days.

YOUR RIGHTS

In addition to the above you have legal rights in relation to your personal information. You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation.

Full details are contained within the [Council's Primary Privacy Notice](#) and should be read before consenting to this document.

To ask for access to your information you should refer to subject access request on website.

DATA PROTECTION OFFICER

If you wish to raise a concern or discuss any aspect of this notice please contact our [Data Protection Officer](#).

If you are unhappy with the way that we handle your concern you may complain to the [Information Commissioners Office \(ICO\)](#) at:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

The Information Commissioners Office deals with concerns and complaints relating to data protection (GDPR) and freedom of information legislation.

CHANGES TO THIS PRIVACY NOTICE

We may update or revise this privacy notice from time to time and will provide supplementary privacy information as is necessary.