Education Service Addendums to Overarching Information Sharing Protocol (ISP)

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****Data Collections – Schools and maintained Early Years providers****

This addendum includes data collections as appropriate to early years settings (maintained), primary, secondary and special schools.

**1. Purpose for Information Sharing**

The purposes for sharing information between Essex County Council’s Education Systems & Intelligence Team and schools are as follows:

* Ensure sufficient and appropriate learning provision
* Support the delivery of statutory functions relating to the provision of education services to children and young people whom Essex have a statutory duty to deliver those services (SEN (including Specialist Teachers, Tribunals, Education Psychology and Statutory Assessment Services), Alternative Provision, Virtual School, MECES, Youth Service, Attendance, Strategy Planning, Targeted services to support improved outcomes, Safeguarding, Music Services, School Meals, Transport, Admissions
* Supporting school improvement and improved educational outcomes
* Ensuring effective planning, commissioning and delivery of services to children and families, in particular to support vulnerable young people and their families.

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) Processing is necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

:

Relevant legislation as follows:

* The Children Act 1989, 2004
* The Schools Standards and Framework Act
* The Learning and Skills Act 2000 (S117)
* Education and Skills Act 2008
* Education and Inspections Act 2006, Academies
* The Education Act 2002 Part 11 Miscellaneous and General - 175

**3. Information Governance**

Data to be shared

Information Shared by Early Years providers, both funded and non-funded and schools with ECC

**Early Years Headcounts**

The early years headcount is completed every term by all early years settings that have children aged 2, 3 or 4 who are receiving the free early education entitlement, both universal and extended entitlements. Headcount data is collected in January, May and September and includes the name, date of birth, home address, ethnicity, needs of every child for whom the setting is claiming free entitlement funding. It also includes personal data about the child’s parent/carer if they meet the eligibility criteria for the Early Years Pupil Premium, surname, date of birth, NI number of the parent. Interim and Amendment collections also take place 3 times per year, once per term which gather the same information items listed above. This is a statutory collection. Information collected is uploaded into our central record management system, currently Capita One System

**Early Years Census**

The Early Years Census is carried out between January and March each year gathering information regarding children in our funded and non-funded EY Settings. The items collected are defined by the DfE each year and are subject to change annually. This is a statutory collection. Information collected is uploaded into our central record management system, currently Capita One System

**School Census**

The **School Census** is a statutory return completed by schools in January, May and October. The data collected varies according to each census as instructed by the DfE but all three census returns include child level personal data. This data sharing agreement covers all school census data items as defined by the DfE, within the schema for each return. The data items included in the schema are included in Appendix 1. The DfE may update the schema. This agreement covers all data items in the current schema in place at the time of data transfer. This is a statutory collection. Information collected is uploaded into our central record management system, currently Capita One System

**B2B**

The Capita B2B product allows schools to submit data to the LA automatically and securely. This is free of charge to schools. Data collected will match that of the census – no additional fields will be taken without prior specific consent, separate to this document.

**Primary Assessment Data**

Statutory **assessment data** is collected by the Council from all primary schools. The data collected includes the Early Years Foundation Stage Profile, Key Stage 1 Teacher Assessments, Key Stage 2 Teacher Assessments, and Phonics Screening Check results. All data is collected at pupil level. This is a statutory collection. Information collected is uploaded into our central record management system, currently Capita One System

The School is required by law to notify pupils/parents, as data subjects, which organisations their personal data may be shared with by the issuing of a Privacy Notice.

**Secondary Attainment data**

Summary school level GCSE and ‘A’ level ‘results day’ data.

Pupil level GCSE and ‘A’ level data. This is a statutory collection. Information collected is uploaded into our central record management system, currently Capita One System

**Information Shared by ECC**

The following are examples of data to be shared:

Key stage assessment data / analysis will be shared either directly from the LA or via government office systems such as NCER (National Consortium for Examination Results), FFT (Fischer Family Trust, or RaiseOnline).

School performance data will be available across the Essex school partnerships and collaborative arrangements to be used for comparative purposes for school improvement (in line with the previously agreed Headteacher Association’s protocols for data sharing) such as:

* Attainment / Attendance reports
* Exclusion reports
* SEN status/ English as an additional language

**3.2 How to share information**

**By schools:**

Local authority maintained schools will upload their School Census return to the DfE COLLECT secure website. School Census data for academies will be made available to the Council by the DfE. They will also use the Capita One B2B product to submit data automatically and securely directly to ECC.

Early years headcount and census data will be entered by schools into the Council’s secure on-line Early Years & Childcare Provider Portal, currently the Capita One System.

Primary assessment information will be shared either directly by schools through the submission of xml or csv files to the school to school (s2s) DfE secure data transfer service or, for KS2 test results, by data feeds from the DfE via the Key to Success website.

Secondary pupil level attainment data will be shared via data feeds from the DfE or via systems such as the National Consortium for Examination Results (NCER).

Results day school level examination data for secondary schools will be shared by completing a secure on-line form provided by the local authority.

**By Essex County Council:**

Where appropriate, ECC will make the data available to children’s services professionals via Council systems to remove the need for schools to supply directly.

We store information securely within the Council’s IT infrastructure.

We ensure that any users of the Council’s database are made aware of their responsibilities in using the information provided.

**3.3 Data retention and deletion**

* Essex County Council (ECC) is required to keep information on children and young people in line with the DfE’s Management Information guidance. As the Data Controller ECC will retain children and young people’s information up to the age of 25 should the young person have learning difficulties or disabilities. We retain this information in line with the [Education privacy notice](https://www.essex.gov.uk/privacy-education)

**3.4 Other**

Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**4. Essex County Council Local Contacts**

Team responsible for sharing information within Essex County Council

|  |  |
| --- | --- |
| **Name** | **Contact email** |
| Education Systems & Intelligence Team  Overall data owner – Anita Kemp, Head of Strategy, Planning and Performance, Education | [School.DataSCF@essex.gov.uk](mailto:School.DataSCF@essex.gov.uk)  [Anita.Kemp2@essex.gov.uk](mailto:Anita.Kemp2@essex.gov.uk) |

**Appendix 1**

**Dataset collected by the School Census**

**Pupil level**

* Pupil identifiers module
* Pupil characteristics module
* Pupil status module
* SEN module
* Termly exclusions module
* Home information module
* Termly attendance

**School level**

* School characteristics module
* School location module
* Admissions appeals module
* Infant admission appeals module (as appropriate)
* Admission appeals heard by Independent Admissions Committee (as appropriate)
* Pupil reconciliation module
* Class information module

**Appendix 2 (Information to be shared by ECC with schools, early years providers)**

The types of **school level** data shared include:

* School performance data
* Attendance/ Exclusions
* FSM/ Contextual data (including EAL and ethnicity)
* Ofsted/ RaiseOnline
* FFT Online

Education Access Team

**1. Purpose for Information Sharing**

The purpose of sharing information between ECC Education Access Team (EAT), schools, Pupil Referral Units (PRUs) and alternative education providers is to ensure ECC fulfils its statutory responsibility of ensuring that provision is made for those pupils unable to access education, either because of permanent exclusion or because they are unable to access mainstream schools for medical or other reasons.

Information is also shared between ECC, schools and PRUs regarding pupils who are not attending an educational placement on a full time basis. This is in line with requirements of the Ofsted framework and evaluation schedule.

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Relevant legislation as follows:

* Section 19 of The Education Act 1996 (as amended by the Children and Families Act 2010) for commissioning suitable education for pupils who are unable to attend school.
* Requirements of Ofsted framework and evaluation schedule

**3. Information Governance**

**3.1 Data to be shared**

**Information to be shared by ECC**

* Name of young person
* Home address of young person
* Date of birth and year group of young person
* Name of guardian
* Contact telephone numbers of guardian
* Attendance records
* Timetabled hours
* Date of exclusion
* Reasons for permanent exclusion
* Behaviour log
* CiC status
* Entitlement to free school meal information
* Gender
* Ethnicity
* Language spoken at home
* UPN
* Medical evidence where relevant
* Details of other agencies involved with young person
* Appropriate Key Stage test results and current levels
* GCSE’s being taken if relevant
* Alternative education details
* UCI number
* Risk assessment

**Information shared by schools/ PRUs with ECC**

* Name of young person
* Home address of young person
* Date of birth and year group of young person
* Name of guardian
* Contact telephone numbers of guardian
* Attendance records
* Timetabled hours
* Date of exclusion
* Reasons for permanent exclusion
* Behaviour log
* CiC status
* Entitlement to free school meal information
* Gender
* Ethnicity
* Language spoken at home
* UPN
* Medical evidence where relevant
* Details of other agencies involved with young person
* Appropriate Key Stage test results and current levels
* GCSE’s being taken if relevant
* Alternative education details
* UCI number
* Risk assessment
  1. **How to share information**

By providers

* Verbally (face to face meetings or via the telephone)
* Electronically – via secure online referral form submissions, secure email or by secure information management system
* Hard copy – via post

By Essex County Council

* Verbally (face to face meetings or via the telephone)
* Electronically – via secure email
* Hard copy – via post

**3.3 Data retention and deletion**

* Essex County Council (ECC) is required to keep information on children and young people in line with the DfE’s Management Information guidance and we retain this information in line with the [Education privacy notice](https://www.essex.gov.uk/privacy-education)

**3.4 Other**

* Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**4. Essex County Council Local Contacts**

Person/s responsible for sharing information within Essex County Council

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Contact email** | **Contact no.** |
| Julie Keating | Education Access Manager | [Julie.keating@essex.gov.uk](mailto:Julie.keating@essex.gov.uk) | 03330131160 |

Education Compliance (includes Children Missing Education/Elective Home Education and Attendance Compliance teams)

**1. Purpose for Information Sharing**

The purposes for sharing information between Essex County Council’s Education Compliance team (EC) and Schools and Academies are:

* To ensure Schools/Academies and Local Authority (LA) fulfil their statutory responsibilities in relation to irregular school attendance patterns, children missing education and elective home education
* To enable swift response to referrals received from schools and academies by EC
* To enable the LA to conduct joint enquiries in cases where a child is reported as missing from education
* To enable the LA to intervene in cases where a child may not be in receipt of a suitable education
* To allow EC to monitor and report on the effectiveness of EC interventions with families for whom we receive referrals

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Law Enforcement Data: DPA Schedule 8 (1) (a) necessary for the exercise of a function conferred on a person by an enactment or rule of law or necessary for reasons of substantial public interest.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Relevant legislation as follows:

* Education Act, 1996
* Children Act, 1989
* Anti-Social Behaviour Act, 2003
* Education Penalty Notices (England) Regulations, 2004
* Education (Pupil Registration) (England) Regulations, 2006
* Education and Inspection Act, 2006

**3. Information Governance**

**3.1 Data to be shared**

**Information shared by schools/academies with ECC**

* Cases referred to EC via the following online referral forms (all accessed via Essex school Infolink):
  + Statutory Notification of Admission to Essex School Roll
  + Statutory Notification of Deletion from Essex School Roll
  + Notification of Parental Decision to Electively Home Educate
  + Referral to Attendance Compliance Team for Penalty Notice/Prosecution
  + Missing Pupil Checklist

**Information shared by ECC**

* Copies of correspondence relating to cases referred to EC
* Confirmation as to whether a payment is made by parent/carer to discharge the offence in question
* Relevant information that is obtained through the EC investigation into a case, where further discussion is required in relation to the findings
* Where prosecution or Education Supervision Order (ESO) is to be pursued, any court date which is booked in relation to a case and the resultant outcome
* Information/ analysis in support of Behaviour and Attendance Partnership meetings

**3.2 How to share information**

By providers

* Verbally (face to face meetings or via the telephone)
* Electronically – via secure online referral form submissions, secure email or by secure information management system
* Hard copy – via internal mail

By Essex County Council

* Verbally (face to face meetings or via the telephone)
* Electronically – via secure email
* Hard copy – via internal mail

**3.3 Data retention and deletion**

* All records will be held by Essex County Council in line with current specified archiving guidelines. We retain this information in line with the [Education privacy notice](https://www.essex.gov.uk/privacy-education)

**3.4 Other**

* Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**4. Essex County Council Local Contacts**

Person/s responsible for sharing information within Essex County Council

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Contact email** | **Contact no.** |
| Anita Patel-Lingam | Statutory Education Compliance Manager | [anita.patel-lingam@essex.gov.uk](mailto:anita.patel-lingam@essex.gov.uk) | 0333 0131079 |

**Appendix 1 Information shared by schools/academies with ECC**

**Cases referred to the Attendance Compliance Team (irregular school attendance matters) should include the following:**

* Pupil attendance record in line with EC referral process
* Child name, home address and date of birth
* School at which child is on roll
* Full names of parent/carer(s) and address (where different from that of their child) – where a parent/carer’s first name is not known, EC must be provided with at least the first initial
* Date of birth of parent(s), where known (*needed in line with Education Act S4441 and S4441a – prosecution of parents*)
* Updated attendance data, as requested by EC during their handling of active legal cases
* Details of any other Services/Professionals known to be working with the family that may need to be party to meetings chaired by EC
* Any key information which may impact on the suitability of a case being put forward for prosecution by EC e.g. Child being made subject to a Child in Need Plan.

**Notification of Parental Decision to Electively Home Educate needs to be completed in the following circumstances:**

* In all cases where a parent has notified the school of their decision to electively home educate

**Statutory Notification of Admission to Essex School Roll needs to be completed in the following circumstances:**

* Every occasion where a pupil is added to the school roll outside of normal transition periods i.e. mid-year admissions

**Statutory Notification of Deletion from Essex School Roll needs to be completed in the following circumstances:**

* Every occasion where a pupil is removed from the school roll outside of normal transition periods i.e. mid-year leavers

**Missing Pupil Checklist needs to be completed in the following circumstances**

* Pupil has been absent for 10 or more days and contact cannot be made with parent/carer/emergency contacts and the absence is unauthorised

**App 2 – Information shared by ECC**

* Copies of correspondence relating to cases referred to EC
* Confirmation as to whether a payment is made to discharge the offence in question
* Relevant information that is obtained through the EC investigation into a case, where further discussion is required in relation to the findings
* Where prosecution or Education Supervision Order (ESO) is to be pursued, any court date which is booked in relation to a case and the resultant outcome
* Information/ analysis in support of Behaviour and Attendance Partnership meetings.

Education Transport & Awards Team (Free School Meals Entitlement)

**1. Purpose for Information Sharing**

The purposes for sharing information between Essex County Council’s Education Transport and Awards team and schools within ECC are:

* To inform schools of a child’s entitlement to receive a free school meal whilst attending the school
* To ensure that schools have accurate information available when collating their termly School Census returns.

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Relevant legislation as follows:

* The Children Act 1989, 2004
* The Schools Standards and Framework Act
* The Learning and Skills Act 2000 (S117)
* Education and Skills Act 2008
* Education and Inspections Act 2006, Academies
* The Education Act 2002 Part 11 Miscellaneous and General – 175

**3. Information Governance**

**3.1 Data to be shared**

The fields of data ECC shares with its schools with regards to free school meals eligibility:

* + - Child Student ID (as recorded in Capita ONE)
    - Child Forename
    - Child Surname
    - Child NCY
    - School Name
    - Guardian Surname
    - FSM Status
    - FSM Start Date
    - FSM End Date
    - FSM Review Date

This information is accessed by schools when they log into Essex Schools Infolink via a secure login system.

**3.2 How to share information**

**By providers**

For local authority schools, School Census data will be made available to the Council once the school submits its return to the Department of Education (DfE) COLLECT secure website. School Census data for academies will be made available to the Council by the DfE.

School’s access to free school meals information is restricted to school-based colleagues having a secure login to ECC’s Infolink system.

Data is also shared by the following methods;

* Verbally (in appeal meetings)
* Electronically – via secure email
* Hard copy – via post

**By Essex County Council**

Store information securely within ECC’s IT infrastructure. For the Education Transport and Awards team, this is currently the Capita ONE software system.

Ensure that any users of the Council’s database are made aware of their responsibilities in using the information provided.

Data is also shared by the following methods;

* Verbally (in appeal meetings)
* Electronically – via secure email
* Hard copy – via post

**3.3 Data retention and deletion**

* Essex County Council (ECC) is required to keep information on children and young people in line with the DfE’s Management Information guidance. As the Data Controller ECC will retain children and young people’s information up to the age of 25 should the young person have learning difficulties or disabilities
* We retain this information in line with the [Education privacy notice](https://www.essex.gov.uk/privacy-education)

**3.4 Other**

* Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**4. Essex County Council Local Contacts**

Person/s responsible for sharing information within Essex County Council

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Contact email** | **Contact no.** |
| Simon Harrington-Whitnall | Admissions, Applications and Awards Manager | [s.harringtonwhitnall@essex.gov.uk](mailto:s.harringtonwhitnall@essex.gov.uk) | 07740 900559 |

Education Transport & Awards Team (Infant Pupil Premium Identification)

**1. Purpose for Information Sharing**

The purposes for sharing information between Essex County Council’s Education Transport and Awards team and infant and primary schools within ECC are as follows:

* To assist schools in identifying which of their children on roll will secure pupil premium for their school.

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Relevant legislation as follows:

* The Children Act 1989, 2004
* The Schools Standards and Framework Act
* The Learning and Skills Act 2000 (S117)
* Education and Skills Act 2008
* Education and Inspections Act 2006, Academies
* The Education Act 2002 Part 11 Miscellaneous and General – 175

**3. Information Governance**

**3.1 Data to be shared**

The fields of data ECC requires from schools in this regard are:

Parent Surname

Parent Date of Birth

Parent National Insurance Number

**3.2 How to share information**

**By providers**

Information will be shared between Schools and Essex County Council using the Department for Education’s School 2 School (S2S) secure transfer system. S2S DfES Secure Messaging system is a Government Secure Website which contains a secure login with Winzip file encryption of 256-Bit AES or stronger.  It encompasses file formats and naming conventions which are specified for file transfer and incoming and outgoing files.  This enables files to be tracked and deleted if sent to the wrong recipient.  The system also contains audit functionality with email confirmation sent to the sending school and a tracking facility to advise them when the receiving school has downloaded or rejected the file.

Data is also shared by the following methods;

* Verbally (in appeal meetings)
* Electronically – via secure email
* Hard copy – via post

**By Essex County Council**

The collected information will be stored securely within ECC’s IT infrastructure using encrypted excel/CSV files within folders that have a restricted access protocol.

ECC will transmit the data to DfE via the DfE Free School Meals Eligibility Checking services secure portal. Any ECC officers likely to be working with schools on this project will be made aware of their responsibilities in using the information provided.

Data is also shared by the following methods;

* Verbally (in appeal meetings)
* Electronically – via secure email
* Hard copy – via post

**3.3 Data retention and deletion**

The intention of ECC is that this specific information will be kept until it is established that the individual schools have received the completed excel/CSV files, at which point ECCwill destroy their electronic copy.

**3.4 Information quality**

Education Transport and Awards officers working on this project will only view the files received from the schools to ensure that the correct formatting is in place before the data is sent to DfE for online eligibility checking. Individual errors identified as a result of this format checking will be referred back to the appropriate school for further action.

**3.5 Keeping information secure and confidential**

As noted above, the collected information received from schools will be stored securely within ECC’s IT infrastructure using encrypted excel/CSV files within folders that have a restricted access protocol.

Only officers with a role on this project will be given access to the specific files and folders with support from ECC’s Information Services team. The officers working on this project will be identified by the Head of School Admissions and Transport.

**3.6 Managing the Protocol**

* Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**4. Essex County Council Local Contacts**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Contact email** | **Contact no.** |
| Simon Harrington-Whitnall | Admissions, Applications and Awards Manager | [s.harringtonwhitnall@essex.gov.uk](mailto:s.harringtonwhitnall@essex.gov.uk) | 07740 900559 |

Education Transport & Awards Team (Home to School and College Transport Assessment)

**1. Purpose for Information Sharing**

The purposes for sharing information between Essex County Council’s Education Transport and Awards team and schools within ECC are to inform schools of which children on roll at their school are entitled to home to school/college transport.

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Relevant legislation as follows:

* The Children Act 1989, 2004
* The Schools Standards and Framework Act
* The Learning and Skills Act 2000 (S117)
* Education and Skills Act 2008
* Education and Inspections Act 2006, Academies
* The Education Act 2002 Part 11 Miscellaneous and General – 175

**3. Information Governance**

**3.1 Data to be shared**

The fields of data ECC shares with its schools with regards to home to school/college transport entitlement are:

* + - Child Student ID (as recorded in Capita ONE)
    - Child Forename
    - Child Surname
    - Child NCY
    - School Name
    - Transport entitlement code (as recorded in Capita ONE)
    - Transport End Date
    - Transport Route Code (as recorded in Capita ONE)

This information is accessed by schools when they log into Essex Schools Infolink via a secure login system.

**3.2 How to share information**

Store information securely within ECC’s IT infrastructure. For the Education Transport and Awards team, this is currently the Capita ONE software system. We ensure that any users of the Council’s database are made aware of their responsibilities in using the information provided.

Data is shared by the following methods;

**By Essex County Council**

* Verbally (in appeal meetings)
* Electronically – via secure email
* Hard copy – via post

**By Providers**

Data is shared by the following methods;

* Verbally (in appeal meetings)
* Electronically – via secure email
* Hard copy – via post

**3.3 Data retention and deletion**

Essex County Council (ECC) is required to keep information on children and young people in line with the DfE’s Management Information guidance. As the Data Controller ECC will retain children and young people’s information up to the age of 25 should the young person have learning difficulties or disabilities.

Education Transport and Awards team are currently reviewing their data retention and deletion policy as part of an overarching systems architecture review. At time of writing, the data held within the Capita ONE software system is not deleted.

**3.5 Other**

* Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**4. Essex County Council Local Contacts**

Person/s responsible for sharing information within Essex County Council.

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Contact email** | **Contact no.** |
| Simon Harrington-Whitnall | Admissions, Applications and Awards Manager | [s.harringtonwhitnall@essex.gov.uk](mailto:s.harringtonwhitnall@essex.gov.uk) | 07740 900559 |

Regulatory Compliance – Pupil Work Permits

1. **Purpose for Information Sharing**

The purpose for sharing information between Essex County Council’s Statutory and Regulatory Customer Services is to inform education providers of the award of a pupil work permit following an application by the parent/carer/guardian. A permit must be applied for and awarded to permit a child to be employed.

1. **Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Relevant legislation as follows:

* The Children and Young Persons Act 1933 / 1963 (as amended) Essex County Council Byelaws 1998

**3. Information Governance**

**3.1 Data to be shared**

Information Shared by ECC

* Pupil Name
* Pupil Date of Birth
* Pupil Address
* Parent / Carer / Guardian Name and Occupation
* Company Name (if Sole Trader)
* Risk assessment which may contain pupil medical information or other health and safety related information
* Dates permit a awarded and dates of employment of permit validity

**3.2 How to Share Information**

By Essex County Council

Electronically – via secure email or by secure information management system (Essex Schools Infolink and Capita One)

**3.3 Data Retention and Deletion**

All records held by Essex County Council in line with current specified archiving guidelines. Child chaperone licencing is held for 25 years from licence expiry and Child Employment for 35 years from last contact/expiry – see [Privacy: Education services - Essex County Council](https://www.essex.gov.uk/privacy-education)

**3.4 Other**

Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol

**4** **Essex County Council Local Contacts**

Person/s responsible for sharing information within Essex County Council

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Contact email** | **Contact no.** |
| Mike Tighe | Regulatory Compliance Lead | [Michael.tighe@essex.gov.uk](mailto:Michael.tighe@essex.gov.uk) | 0333 0131079 |

Special Educational Needs & Disability (SEND) Services – SEND Services (SEND Operations, Inclusion & Psychology)

**1. Purpose for Information Sharing**

The purpose of sharing information between ECC and schools is to ensure ECC fulfils its statutory responsibility of ensuring that appropriate provision is made for those pupils who have special educational needs. To undertake effective EHC needs assessments and create and maintain and cease EHCPs. To advise and support schools and settings and colleges to meet the need of all children and young people with SEND and to ensure safeguarding.

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Relevant legislation as follows:

* Requirements of Ofsted framework and evaluation schedule
* SEND Code of Practice Jan 2015
* Children & Families Act 2014
* SEND Regulations
* Keeping Children Safe in Education 2021
* Education Act 2011
* Working Together to Safeguard Children 2019

**3. Information Governance**

**3.1 Data to be shared**

**Information to be shared by ECC**

* Name of young person
* Home address of young person and parent/carer/guardian
* Date of birth and year group of young person
* Name of guardian
* Contact telephone numbers and email addresses of parent/carer/guardian
* Entitlement to free school meal information and Pupil Premium Grant
* Gender
* Ethnicity
* Language spoken at home
* Relevant educational, health and care history
* Details of other relevant professionals and agencies involved with young person and family
* Appropriate Key Stage test results and current levels
* GCSE’s or other qualifications being taken and national assessment data if relevant
* Needs & SEN Assessment Status
* Level of top up funding allocated

**Information shared by schools with ECC**

* Name of young person
* Home address of young person
* Date of birth and year group of young person
* Name of guardian
* Contact telephone numbers and email address of parent/carer/guardian
* Date the pupil started or left
* Entitlement to free school meal information and Pupil Premium Grant
* Gender
* Ethnicity
* Language spoken at home
* Relevant educational, health and care history
* Details of other relevant professionals and agencies involved with young person and family
* Appropriate Key Stage test results and current levels
* GCSE’s or other qualifications being taken and national assessment data if relevant
* Needs & Actions taken to support SEN
* One Planning

**3.2 How to share information**

Information received

* Verbally (face to face meetings or via the telephone)
* Electronically – via secure online referral form submissions, secure email or by secure information management system
* Hard copy – via post

Information shared

* Verbally (face to face meetings or via the telephone)
* Electronically – via secure email
* Hard copy – via post

**3.3 Data retention and deletion**

We retain personal information in line with our published retention schedule as described in our [Education Privacy Notices](file://chesfs02/teamshare/Education/Strategy%20Planning%20and%20Performance/Governance_WEISF/Addendums_completed%20responses/Education%20privacy%20notice)

**3.4 Other**

* Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**4. Essex County Council Local Contacts**

Person/s responsible for sharing information within Essex County Council

|  |  |  |  |
| --- | --- | --- | --- |
| District | Role | Contact Email | Contact no. |
| Tendring, Colchester, | Quadrant Manager, North East | [SENDOperations.NE@essex.gov.uk](mailto:SENDOperations.NE@essex.gov.uk) | 0333 013 7667 |
| Braintree, Chelmsford, Halstead, Maldon | Quadrant Manager, Mid | [SENDOperations.Mid@essex.gov.uk](mailto:SENDOperations.Mid@essex.gov.uk) | 0333 013 9949 |
| Basildon, Billericay, Brentwood, Castle Point, Rochford, Wickford | Quadrant Manager, South | [EHCRequestSouth@essex.gov.uk](mailto:EHCRequestSouth@essex.gov.uk) | 0333 013 4736 |
| Epping, Harlow, Uttlesford | Quadrant Manager, West | [SENDOperations.West@essex.gov.uk](mailto:SENDOperations.West@essex.gov.uk) | 0333 013 9911 |

Safeguarding with Multi-Agency Partners

**1. Purpose for Information Sharing**

The purposes for sharing information between multi-agency partners and schools, including academies and other Education settings, are:

* to facilitate the exchange of personal and sensitive information in the interests of protecting children and young people from actual or potential harm
* to prevent crime
* for investigations under Safeguarding Children procedures: [SET Child Protection Procedures - Essex Safeguarding Children](https://www.escb.co.uk/media/2086/set-procedures-oct-2019-updated-southend-logo.pdf)
* to make an assessment of the service user's needs so that appropriate services can be provided;
* for the early identification, prevention, and investigation of abuse and neglect;
* to facilitate the exchange of personal and sensitive information to support the work of the Channel Panel;
* to facilitate the exchange of personal and sensitive information to support the work of the MARAC;
* to respond to safeguarding concerns;
* to respond to, and plan for, emergencies across the county;

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) Necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Data sharing is undertaken in accordance with the following relevant legislation:

* Education Act 2002 (s175)
* Non-Maintained Special Schools (England) Regulations 2015
* Children and Young People Act 2014
* Children Act 1989, 2004
* Children and Social Work Act 2017
* The Care Act 2014
* The Safeguarding Vulnerable Groups Act 2006
* Articles 2 and 3 of the Human Rights Act 1998
* Equalities Act 2010
* Section 115 Crime and Disorder Act 1998
* Section 120 Learning and Skills Act 2000
* Section 325 Criminal Justice Act 2003 (Duty to co-operate)
* Sections 39 & 39a Police Act 1996 (Code of Practice on the Management of Police Information)

The following legislation, codes of practice and guidance may also be relevant:

* Keeping Children Safe in Education 2021
* Working Together to Safeguard Children 2018
* Sexual Violence and Sexual Harassment Between Children in Schools and Colleges 2018
* Common Law Duty of Confidence (Social Services, medical profession, patient confidentiality, Police, Nurses, Health Visitors and Midwives).
* Professional Codes of Conduct
* Housing Act 1996
* The Mental Health Act 1983 (The Health Sector).
* Mental Health Act 2007
* Mental Capacity Act 2005
* Health and Social Care Act 2015 (For Health/Social Services).
* Children Act 2004
* Confidentiality – NHS Code of Practice November 2003
* Sex Offenders Act 1997
* NHS and Community Care Act 1990.
* S.37 and S.39 Crime and Disorder Act 1998.
* Section 135, 152 and 153 Housing Act 1996
* Caldicott and Caldicott2 Principles
* Regulation of Investigatory Powers Act 2000
* Localism Act 2011
* Localism Act 2013
* Counter Terrorism and Security Act 2015

Other relevant guidance in relation to Information Sharing is available here:

1. [Information sharing: Advice for practitioners providing safeguarding services](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf)
2. [Data Protection: A Toolkit for Schools](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/747620/Data_Protection_Toolkit_for_Schools_OpenBeta.pdf)
3. [Information Commissioner’s Office website](https://ico.org.uk/for-organisations/sme-web-hub/)

Attention is drawn to the 7 Golden Rules for Information Sharing set out in the *Information Sharing; Advice for practitioners providing safeguarding services* as a practical exposition of the law relating to information sharing.

**3. Information Governance**

**3.1 Data to be shared**

We will share any information relevant to safeguarding as allowed by legislation. The following are examples of the information to be shared:

* Service user's name, address, age, details of racial or ethnic origin, physical and/or mental health;
* Information exchanged in the course of safeguarding both adults and children's procedures about alleged victims and alleged perpetrators;
* Data relating to an offence – nature of the offence, time, date, location of offence;
* Information to enable workers to undertake an assessment of the person’s needs;
* Information exchanged for the purposes of Multi-agency Public Protection Arrangements (MAPPA), such as data relating to convictions, cautions, final warnings, reprimands, details of case histories and intelligence, if appropriate and proportionate, to the subject person;
* Information about people who are convicted of offences against children and vulnerable adults and who are potential offenders;
* Data required for the *Essex Safeguarding Children Board* meetings;
* Data required for Multi-agency Risk Assessment Conference (MARAC);
* Data required to plan for and respond to emergencies in Essex as permitted by; Regulations 45 to 54 of the Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005;
* Data required to meet any inspection regimes, timescales and requests;
* Data required as part of the work on the Health and Social Care prevention agenda;
  + child's name, address, gender, date of birth, and a unique identifying number;
  + contact details for parents/carers;
  + contact details for services working with a child: as a minimum, educational setting (e.g. school) and GP practice, but also other services where appropriate;
  + Type and details of concerns and case information;
  + Details of Family Support Meetings.
* Data required for Missing And Child Exploitation (MACE) group;
* Information sharing to support the PREVENT Strategy;
* Information which can be used for monitoring and evaluation purposes, e.g. performance data. Where there is a risk that individuals may be identified from the data, then information will be anonymised;
* Information that does not relate to people; e.g. information about organisations, natural resources and projects, or information about people that has been aggregated to a level that is not about individuals.

**3.2 How to share information**

Information will be exchanged using secure methods approved by partners and these may include: verbal exchanges by telephone or face-to-face, letters and other written material; secure websites and electronic records. The following general standards should be considered when exchanging information:

* Where sensitive information is exchanged via email, only secure email will be used
* When disclosing sensitive information by telephone consideration must be given to authenticating the caller and ensuring sensitive conversations are not overheard;
* Personal or confidential information will only be sent to a work email address (no personal email addresses);
* Sensitive information sent in hard copy must be addressed to a specific person and marked ‘for addressee only’, with a return address. Information sent via Royal Mail must be double wrapped. If the data is particularly sensitive, partners may wish to consider using Special Delivery or a contracted courier under tracked conditions.

**3.3 Data retention and deletion**

All agencies who are party to this Agreement will put in place policies and procedures governing the retention and disposal of records containing personal information retained within their manual and/or electronic systems, in line with legislative and organisational requirements. ECCs retention is detailed in its [privacy notices](https://www.essex.gov.uk/topic/privacy-and-data-protection).

**3.5 Other**

* Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**4. Essex County Council Safeguarding Contacts**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Contact email** | **Contact no.** |
| Jo Barclay | Head of Education Safeguarding and Wellbeing | [jo.barclay@essex.gov.uk](mailto:jo.barclay@essex.gov.uk) | 03330131078  07775 030021 |
| Matthew Lewis | Education Safeguarding Adviser | [matthew.lewis@essex.gov.uk](mailto:matthew.lewis@essex.gov.uk) |  |
| Hayley Speed | Education Safeguarding Officer | [hayley.speed@essex.gov.uk](mailto:hayley.speed@essex.gov.uk) |  |

School Admissions Team

**1. Purpose for Information Sharing**

The purpose of sharing information between Essex County Council’s School Admissions Service and schools is to administer the statutory co-ordinated admission schemes for parental applications for primary and secondary school places.

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Relevant legislation is as follows:

* The School Admissions Code 2014
* The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012
* The School Standards and Framework Act 1998

**3. Information Governance**

**3.1 Data to be shared**

**Information shared by ECC**

* Child Student ID (as recorded in Capita ONE)
* Child Forename
* Child Surname
* Child date of birth
* Child NCY
* School Name
* Guardian Surname
* Child Home Address
* Applicant Home Address
* Applicant contact numbers
* Preference / Reasons for preference
* Medical evidence where requested by applicant
* Other information about the child where required to process an application
* The determination letter showing school(s) offered and refused.

**Information shared by schools with ECC**

* Details of any applications received directly
* Numbers on roll
* Class organisation and staffing data in the event of admission appeals administered by ECC
* Admission policies

**3.2 How to share information**

Store information and share securely with ECC’s IT infrastructure. For the School Admissions Team, information is currently stored in the Capita ONE System. We ensure that any users of the Council’s database are made aware of their responsibilities in using the information provided.

By Providers

* Verbally (in appeal meetings)
* Electronically – via secure email
* Hard copy – via post

By ECC

* Verbally (in appeal meetings)
* Electronically – via secure email
* Hard copy – via post

**3.3 Data retention and deletion**

We retain personal information in line with our published retention schedule as described in our [Education Privacy Notices](file://chesfs02/teamshare/Education/Strategy%20Planning%20and%20Performance/Governance_WEISF/Addendums_completed%20responses/Education%20privacy%20notice%22%20HYPERLINK%20%22Education%20privacy%20notice)

**3.4 Other**

Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**4. Essex County Council Local Contacts**

Person/s responsible for sharing information within Essex County Council

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Contact email** | **Contact no.** |
| Simon Harrington-Whitnall | Admissions, Applications and Awards Manager | [s.harringtonwhitnall@essex.gov.uk](mailto:s.harringtonwhitnall@essex.gov.uk) | 07740 900559 |

School Effectiveness, Attendance & Early Years

**1. Purpose for Information Sharing**

The purpose of sharing information between ECC and schools and early years settings is to ensure ECC fulfils its strategic aims and statutory responsibilities of ensuring that effective education is provided for the children and young people of Essex to ensure the highest possible outcomes, the management of pupil attendance and the quality of provision in early years settings.

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Relevant legislation as follows:

* Requirements of Ofsted framework and evaluation schedule
* SEN Code of Practice Jan 2015
* Children & Families Act 2014
* Keeping Children Safe in Education 2021
* Education Act 2011
* Working Together to Safeguard Children 2019

**3. Information Governance**

**3.1 Data to be shared**

**Information to be shared by ECC**

* Name of young person
* Home address of young person
* Date of birth and year group of young person
* Name of guardian/carer
* Contact telephone numbers and email addresses of guardian/carer
* Entitlement to free school meal information and Pupil Premium Grant
* Gender
* Ethnicity
* Language spoken at home
* Attendance
* Medical evidence where relevant
* Details of other agencies involved with young person
* Appropriate Key Stage test results and current levels
* GCSEs and A levels being taken if relevant
* Needs & SEN Assessment Status
* Level of top up funding allocated
* Virtual School information

**Information shared by schools with ECC**

* Name of young person
* Home address of young person
* Date of birth and year group of young person
* Name of guardian/carer
* Contact telephone numbers of guardian/carer
* Date the pupil started or left
* Behaviour log
* Entitlement to free school meal information and Pupil Premium Grant
* Gender
* Ethnicity
* Language spoken at home
* Attendance
* Safeguarding information
* Medical evidence where relevant
* Details of other agencies involved with young person
* Appropriate Key Stage test results and current levels
* GCSE’s and A Levels being taken if relevant
* Needs & Actions taken to support SEN
* One Planning
* Single central record
* Transition and destination information
* Governing body information
* Staffing structure

**3.2 How to share information**

Information received

* Verbally (face to face meetings or via the telephone)
* Electronically – via secure online referral form submissions, secure email or by secure information management system
* Hard copy – via internal mail

Information shared

* Verbally (face to face meetings or via the telephone)
* Electronically – via secure email
* Hard copy – via internal mail

**3.3 Data retention and deletion**

* Essex County Council (ECC) is required to keep information on children and young people in line with the DfE’s Management Information guidance and we retain this information in line with the [Education privacy notice](https://www.essex.gov.uk/privacy-education)

**3.4 Other**

* Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education Information Sharing Protocol.

**4. Essex County Council Local Contacts**

Person/s responsible for sharing information within Essex County Council

|  |  |  |  |
| --- | --- | --- | --- |
| Maz Norman | Head of Education & Early Years South | [Maz.norman@essex.gov.uk](mailto:Maz.norman@essex.gov.uk) | 07717867504 |
| Alison Fiala | Head of Education & Early Years Mid | [Alison.fiala@essex.gov.uk](mailto:Alison.fiala@essex.gov.uk) | 07768537487 |
| Karla Martin | Head of Education & Early Year West | [Karla.martin@essex.gov.uk](mailto:Karla.martin@essex.gov.uk) | 07785722428 |
| Stephen Chynoweth | Head of Education & Early Years North | [Stephen.chynoweth@essex.gov.uk](mailto:Stephen.chynoweth@essex.gov.uk) | 07585889307 |

SEND (Special Educational Needs & Disabilities) Strategy and Innovation (Physical and Sensory Impairment Specialist Teachers, SEN Funding, Therapies, Post 16 and SEN Tribunal)

**1. Purpose for Information Sharing**

The purpose of sharing information between ECC and schools and other settings is to ensure ECC fulfils its statutory responsibility of ensuring that appropriate provision is made for those pupils who have special educational needs. We also use the data to defend legal claims.

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Sensitive Personal Data: Article 9 (2) (f) Necessary for the establishment, exercise or defence of legal claims
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Relevant legislation and statutory guidance as follows:

* Requirements of Ofsted framework and evaluation schedule
* Children & Families Act 2014
* The Special Educational Needs and Disability Regulations 2014
* SEN Code of Practice Jan 2015
* Article 9 – Legal Claims

**3. Information Governance**

**3.1 Data to be shared**

**Information to be shared by ECC**

* Name of young person
* Home address of young person
* Date of birth and year group of young person
* Name of guardian
* Contact telephone numbers of guardian
* Entitlement to free school meal information
* Gender
* Ethnicity
* Language spoken at home
* UPN
* Medical evidence where relevant
* Details of other agencies involved with young person
* Appropriate Key Stage test results and current levels
* GCSE’s being taken if relevant
* SEN Assessment Status, including registration of sensory impairments
* Needs & Actions taken to support SEN
* Funding and provision, including top up funding, therapy, equipment etc
* LAC Status

**Information shared by schools and other settings with ECC**

* Name of young person
* Home address of young person
* Date of birth and year group of young person
* Name of guardian
* Contact telephone numbers of guardian
* Date the pupil started or left
* Behaviour log
* Entitlement to free school meal information
* Gender
* Ethnicity
* Language spoken at home
* UPN
* Medical evidence where relevant
* Details of other agencies involved with young person
* Appropriate Key Stage test results and current levels
* GCSE’s being taken if relevant
* Needs & Actions taken to support SEN
* One Planning
* LAC Status

**3.2 How to share information**

By providers

* Verbally (face to face meetings or via the telephone)
* Electronically – via secure online referral form submissions, secure email or by secure information management system
* Hard copy – via internal mail

By Essex County Council

* Verbally (face to face meetings or via the telephone)
* Electronically – via secure email
* Hard copy – via internal mail

**3.3 Data retention and deletion**

We retain personal information in line with our published retention schedule as described in our [Education Privacy Notices](file://chesfs02/teamshare/Education/Strategy%20Planning%20and%20Performance/Governance_WEISF/Addendums_completed%20responses/Education%20privacy%20notice%22%20HYPERLINK%20%22Education%20privacy%20notice)

**3.4 Other**

* Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**4. Essex County Council Local Contacts**

Person/s responsible for sharing information within Essex County Council

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Contact email** | **Contact no.** |
| Ralph Holloway | Head of SEND Strategy and Innovation | [Ralph.Holloway@essex.gov.uk](mailto:Ralph.Holloway@essex.gov.uk) | 03330 322691 |

The Virtual School for Children in Care

**1. Purpose for Information Sharing**

The purposes for sharing information between Essex County Council’s Virtual School for Children in Care and schools, academies and Education and Learning Providers are:

* The purpose of sharing information is to safeguard the welfare of children in care through monitoring of attendance
* Schools and learning providers have the basic information about pupils on their roll, additional information about care status and the professionals that support the child in care is shared to support partnership working
* Information about the child in care’s education attainment and progress will be shared with the current education provider to support improved educational outcomes and to ensure appropriate support for learning
* Ensure sufficient and appropriate learning provision is available to meet the needs of young people up to the age of 18 years old
* Support in the short and long term strategies to reduce young people NOT in employment, education or training (NEET) and those who are ‘Unknown’ to the local authority
* Enable all learning providers to utilise data to enhance their current learning provision and offer young people appropriate learning provision.

**2. Legality**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

:

Relevant legislation as follows:

* Education Act 2011
* Education Act 1990 s537
* Statutory Instrument 2009 No.1563 Education (England)

**3. Information Governance**

**3.1 Data to be shared**

**Information shared by education providers with ECC**

* Name
* Date of birth
* Children in Care status
* SEN (Special Educational Needs) information
* Attendance and exclusion information
* Attainment and progress information
* Personal Education Plans (PEP1 & PEP2)
* Provide information on financial support through the 18 – 19 Bursary Fund (if appropriate)

**Information Shared by ECC**

* Name

Date of birth

* Children in Care status
* SEN information
* Attendance and exclusion information
* Attainment and progress information
* Personal Education Plans (PEP1 & PEP2)
* Ethnicity/ English as an additional language
* Qualifications gained
* Previous schools
* Designated person to have access to information about children in care attending the provision and the ability to update the CLA Tracker.

**3.2 How to share information**

By providers

Information is shared via CLA Tracker and Welfare Call Ltd, a secure portal

By Essex County Council

Information is shared via CLA Tracker, a secure portal

**3.3 Data retention and deletion**

ECC is required to retain information on Children in Care for a period of 75 years.

**3.4 Other**

Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**4. Essex County Council Local Contacts**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Contact email** | **Contact no.** |
| Natalie Stephenson | Virtual school Head | [Natalie.stephenson@essex.gov.uk](mailto:Natalie.stephenson@essex.gov.uk) | 033303 21667 |
| Clare Davis | Inclusion Lead | [clare.davies4@essex.gov.uk](mailto:clare.davies4@essex.gov.uk) | 03330131092 |

**Appendix 1**

**Children in Care Information Requirements**

|  |  |  |
| --- | --- | --- |
| Activity | Info. Required | Frequency |
| Attendance records of CLA | Extracted from the Children Looked After Tracker system. | Weekly |

Essex Youth Offending Service (Essex YOS)

**1. Purpose for Information Sharing**

* To reduce bureaucracy which surround the potential release, actual release and engagement of young people who offend into new opportunities.
* To ensure a consistent and streamlined approach between ECC and Education and Learning Providers relating to the recruitment of Young People under police or court ordered interventions into mainstream education, further education, apprenticeship and traineeship programmes**.**
* To improve the potential educational outcomes and life chances for the group outlined above
* To share information in the interests of public safety and safeguarding practices

**2. Legality**

Data sharing is undertaken in compliance with the General Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Section 115 of the Crime and Disorder Act 1998 provides the lawful power for anyone to disclose information to a relevant authority – the police, police authority, local authority, probation committee or health authority, or to any persons acting on their behalf – where this is necessary or expedient for the purposes of a provision of the Act.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

Relevant legislation as follows:

* Education and Skills Act 2008 s10 and s72

To encourage, enable and assist young people into education, employment and training, through the provision of data.

* Apprenticeship, Skills Children and Learning Act 2009
* Crime and Disorder Act 1998
* Rehabilitation of Offenders Act 1974 (and subsequent amendments)
* Legal Aid, Sentencing and Punishment of Offenders Act 2012
* Children and Families Act 2014

**3. Information Governance**

**3.1 Data to be shared**

In addition to information to be shared outlined in the overarching protocol, Essex YOS where it is appropriate and necessary, share information about young people which is sensitive. This may include:

* Offence details
* Police or court ordered interventions
* Risk of harm to self and to others
* Vulnerability issues
* Any other information to ensure the safety of the young person, staff and other students.

**Children and Young people taken into custody**

Specific information sharing requirements exist under ASCL 09, LASPO 12 and CAF 14 to share information on children and young people placed in custody in Secure Children’s Centres (STCs), Young Offender Institutes (YOIs) and Secure Children’s Homes (SCHs). For full details, please contact [jethro.bogdanov@essex.gov.uk](mailto:jethro.bogdanov@essex.gov.uk)

**3.2** **How to share information – Working practice**

**Post 16**

**YOS**

* inform the individual learning establishment of young people, paying due regard to the Rehabilitation of Offenders Act 1974 (Appendix 1), currently subject to either Court Orders or a remand managed by YOS
* The YOS case manager or member of the YOS Senior Leadership Team will contact the Designated Safeguarding Lead (DSL) for that establishment by telephone in the first instance
* include an assessment of risk, the type of and length of intervention, the name and details of the key contact person (normally the YOT Case Manager) and the level of support required to support their training needs
* inform and involve individual colleges in the planning relevant to the release of a young person leaving the secure estate and jointly identify training needs
* inform and work with colleges in terms of the additional support that may be provided to the young person within the multi-agency framework (e.g. parenting, mental health etc)
* provide information and advice regarding the Youth Justice System and the prevention of offending, and arrange appropriate updating activities for College, as agreed between them and their managers
* prioritise any appropriate meetings
* ensure that a dialogue is maintained with the College before and during the educational offer about the status, behaviour and any other developments in relation to the young person.

**The FEDEC colleges can support this protocol in the following ways:**

* nominate a named contact within either its
  + Student Services Team
  + Statutory Assessment Service (SAS) or
  + Safeguarding Officer to receive information and to offer a first point of contact on all YOS related issues
* support young people through working alongside YOS practitioners to ensure equality of access at point of referral, during the programme and at the end of their programme
* inform YOS of any significant change in the educational status of a young person who has offended in order to target support and reduce drop out
* ensure the College is up to date with the Youth Justice System and able to give advice and guidance within the college
* ensure the College attends YOS-based meetings as and when required to share practice, information and to remain cognisant of youth justice issues, trends and themes
* set up an internal process around the dialogue between key YOS workers, key stakeholders and the young person to identify an appropriate learning programme, assess competency levels, understand levels achieved to date and what current programmes have recently been studied/completed to ensure appropriate progression pathways
* ensure the young person consents to information being shared with organisations outside the College
* invite representatives from YOS to appropriate meetings
* provide key YOS workers with regular updates on programme provision, particularly those relevant to the target group, and inform them of changes in local and national education legislation.

**Custody for post 16 – planning for release and release**

The YOT case manager will inform and involve the College in the planning relevant to the release of a young person leaving the secure estate and jointly identify an appropriate offer of learning or training

**3.2 b) School age**

**The YOT case manager**

* inform the school of a young person, paying due regard to the Rehabilitation of Offenders Act 1974 (Appendix 1), currently subject to either an out-of-court-disposal, Court Orders or a remand episode managed by YOS
* The YOS case manager or member of the YOS Senior Leadership Team will contact the Designated Safeguarding Lead (DSL) for that establishment by telephone in the first instance
* include an assessment of risk, the type of and length of intervention, the name and details of the key contact person (normally the YOT Case Manager) and the level of support required to support their education needs
* inform and work with the school in terms of the additional support that may be provided to the young person within the multi-agency framework (e.g. parenting, mental health etc)
* provide information and advice to schools regarding the Youth Justice System and the prevention of offending, and arrange appropriate updating activities as agreed by YOS Head of Service
* ensure that a dialogue is maintained with the school about the young person’s engagement in education, their behaviour and any other developments in relation to the young person.

**Schools can**

* support young people through working alongside YOS case managers to increase attendance and achievement
* inform the YOT case manager of attendance, behaviour and attainment of relevant young people
* inform YOT case manager of any significant change in the educational status of a young person who has offended in order to target support
* inform the YOT case manager of any identified learning and/or behavioural issues of relevant young people
* invite representatives from YOS to appropriate meetings

**Custody for school age – planning for release and release**

* The YOT case manager will inform and involve schools in the planning relevant to the release of a young person leaving the secure estate and jointly identify an appropriate timetable of learning
* schools should consider retaining on roll young people who will still be of statutory school age on release from custody

**3.3 Data retention and deletion**

* YOS holds data on young people until their 18th birthday (or whilst they are still active with YOS beyond this point) at which point YOS depersonalises and archives case level data
* ECC requests that the data shared with providers is used within one month and is securely destroyed within 3 months of using the data.
* We retain personal information in line with our published retention schedule as described in our [Education Privacy Notices](file://chesfs02/teamshare/Education/Strategy%20Planning%20and%20Performance/Governance_WEISF/Addendums_completed%20responses/Education%20privacy%20notice%22%20HYPERLINK%20%22Education%20privacy%20notice)

**3.4 Other**

* Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**Essex County Council Local Contacts**

|  |  |  |  |
| --- | --- | --- | --- |
| Jethro Bogdanov  Sarah Hinge  Rob Brown | Education, Training and Employment Manager  Education Information Co-ordinator  YOS Information Manager | [jethro.bogdanov@essex.gov.uk](mailto:jethro.bogdanov@essex.gov.uk)  [sarah.hinge@essex.gov.uk](mailto:sarah.hinge@essex.gov.uk)  [rob.brown@essex.gov.uk](mailto:rob.brown@essex.gov.uk) | 07717867057  03330 139742 (direct)  03330 137580 (direct)  03330 133338 (direct) |

All Government Funded Learning Providers – Essex County Council’s Youth Service and Children and Young People with Disabilities Service (CYPwD) - Information, Advice and Guidance (IAG)Team

1. **Purpose for Information Sharing**

The purposes for sharing information between Essex County Council’s Youth Service and CYPwD (IAG Team) and Post 16 Learning Providers are to:

* ensure sufficient and appropriate learning provision is available to meet the needs of young people up to the age of 18 years old and up to the age of 25 for those with Learning Difficulties or Disabilities;
* support in the short and long term strategies to reduce young people aged 16-18 and NOT in employment, education or training (NEET) and those who are ‘Unknown’ to the local authority;
* enable all learning providers to utilise data to enhance their current learning provision and offer young people appropriate learning provision.

**2. Legal basis for sharing information**

Data sharing is undertaken in compliance with the Data Protection Act 2018 (GDPR). The legal conditions for processing are:

* Personal data: Article 6 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject.
* Personal data: Article 6 (e) necessary for the performance of a task carried out in the public interest or in exercise of official authority vested in the controller.
* Sensitive Personal Data: Article 9 (2) (g) Substantial Public Interest/DPA Schedule 1, Part 2, 6 (2) (c) the exercise of any function conferred on a person by enactment.
* Other statute that enables information to be shared is listed in Appendix 1 of the Learning Providers Information Sharing Protocol.

**2.1 Fair Processing Arrangements**

* Students are issued with a Privacy Notice
* New Post 16 clients loaded onto the database will be sent an ECC Fair Processing Letter as the Data Controller
* Detailed Fair Processing Information will be held on Essex County Council’s website.
* Where sensitive information is to be shared through the IAG Guidance Team, consent from the young person or if appropriate the parent will be sourced.

**3. Information Governance**

**3.1 Information shared by Learning Provider with ECC**

Appendix 1 outlines the information to be shared e.g. name, DOB, address etc. and when the information is required.

**3.2 Information shared by Essex County Council**

Appendix 2 Information shared by ECC with relevant Colleges, Sixth Forms

and Training Providers includes:

* Young people who do not have a confirmed place between Year 11 into their post 16 opportunity
* Data that will support the establishment’s review of Education and Careers Education and Information, Advice and Guidance Programmes
* All local authorities (LA) are required to share non-resident student data with other local authorities to enable them to fulfil their statutory duties’

**4. Information format, method(s) and frequency of sharing**

**Essex County Council use Office Mail Encryption secure system to share information.**

**By providers:-**

ECC will accept secure information via **the secure Outlook system. If this system is not available, information should be sent securely using Password Protection** either in Excel or Word format, at any convenient point in the month via email to [**keepInContactTeam@essex.gov.uk**](mailto:keepInContactTeam@essex.gov.uk)or in hard copy, via a secure method, using safe handling procedures, to the address below through registered post marked ‘Private & Confidential’:

Keep in Contact Team

Ely House, Churchill Avenue, Basildon, Essex,   
SS14 2BW

Data may also be shared verbally (e.g. either face to face meetings or via the telephone).

**By Essex County Council:-**

Additional relevant data can be requested, providing it is within the statutory duty to share data, through [darren.connew@essex.gov.uk](mailto:darren.connew@essex.gov.uk). The data will be sent within 10 working days of the receipt of the request. Data will only be sent to the designated person, listed in the learning providers contact details, using the safe handling procedures.

**5. Data retention and deletion**

Essex County Council is required to keep information on young people in line with the DfE’s Management Information Guidance. We retain personal information in line with our published retention schedule as described in our [Education Privacy Notices](file://chesfs02/teamshare/Education/Strategy%20Planning%20and%20Performance/Governance_WEISF/Addendums_completed%20responses/Education%20privacy%20notice%22%20HYPERLINK%20%22Education%20privacy%20notice)

ECC requests that the data shared with providers is used within one month and is securely destroyed within 1 month of receiving the data. ECC will check to ensure this action has been completed.

**6. Responsibility for exchanging data and ensuring data are accurate**

* Data is shared through key contacts with responsibility for accessing and sharing information
* A weekly monitoring schedule ensures that client data is systematically checked on a weekly basis to monitor duplicates, omissions, potential errors and inaccurate records
* Deceased clients are removed from the data base immediately.

**7. Other**

Please refer to Section 3, 4, 5, 9 and 10 of the overarching Education and Learning Services Information Sharing Protocol.

**8. Essex County Council Local Contacts**

Person/s responsible for sharing information within Essex County Council.

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Role** | **Contact email** | **Contact no.** |
| Darren Connew | Business Development & Operations Manager | [Darren.connew@essex.gov.uk](mailto:Darren.connew@essex.gov.uk) | 03330138822 |
| Kim Trennery | Participation Tracking Team Supervisor | [Kim.trennery@essex.gov.uk](mailto:Kim.trennery@essex.gov.uk) | 03330134729 |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Information Provision Appendix 1** | | | | | | | | | | | | | | |
| **Activity** | **Info. Required** | **Freq.** | **April** | **May** | **June** | **July** | **Aug** | **Sept** | **Oct** | **Nov** | **Dec** | **Jan** | **Feb** | **March** |
| **Data Cleanse/Cohort Set (Year 11 only)** | Name, Address, date of birth, Gender, Ethnicity, Phone & Mob no. Email Address | March |  |  |  |  |  |  |  |  |  |  |  |  |
| **Offers of Learning** | DfE No. Name, Address DOB, Gender, Ethnicity, ULN/UPN, Previous Edu Est. , Course & Level. Is it an Apprenticeship? | Monthly |  |  |  |  |  |  |  |  |  |  |  |  |
| **Activity Survey To include new course entrants.** | Previous Edu. Est., Name, Address, DOB, Ethnicity, Telephone no., Mobile, Email, ULN/UPN, Course, Level and is it an Apprenticeship. | Monthly |  |  |  |  |  |  |  |  |  |  |  |  |
| **Starters and Leavers** | Name, Address,  DOB, Tele. No.,  Pre. School,  Course, Level,  Expected end date  If leaver, reasons for leaving |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Changes**  **Addresses and phone nos.** | Name, DOB and New address and phone no. | Termly or Monthly |  |  |  |  |  |  |  |  |  |  |  |  |

*In addition Referral Systems are also in place between the Institutions’’ IAG Teams and the Employability and Skills Unit.*

*Colours denote the year groups for which information is required:-*

*Red – Years 11 and 12.*

*Green – All years groups undertaking learning through the establishment.*

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **ECC will share the following with Learning Providers Appendix 2** | | | | | | | | | | | | | | |
| **Activity** | **Info. Required** | **Freq.** | **April** | **May** | **June** | **July** | **Aug** | **Sept** | **Oct** | **Nov** | **Dec** | **Jan** | **Feb** | **March** |
| **Essex Young people Destinations Data** | Name, DOB, Address,  Destination  i.e. Education, Employment and Training | Providers will need to send a list of leavers with Name, DOB, and ULN when this data is required. |  |  |  |  |  |  |  |  |  |  |  |  |

*In addition Referral Systems are also in place between the Institutions’’ IAG Teams and the Essex County Council Youth Service.*

*Colours denote the year groups for which information is required:-*

*Red – Years 11 and 12.*

*Green – All years groups undertaking learning through the establishment*