

The HOPE Virtual School for Children in Care: Privacy Notice (How we use students' information)

Students who were previously looked after and were in care to Bristol City Council

The HOPE Virtual School (also called The HOPE) may have personal information about you and information relating to your education if you are a young person who was in care to Bristol City Council and who left care for one of the following reasons:

- the Court Order or voluntary arrangement ended so you were no longer in care
- you are a care leaver¹
- you were adopted from care
- you left care under a Special Guardianship Order
- you left care under a Child Arrangements Order (this used to be called a Residence Order).

Once you left care because the **Court Order or voluntary arrangement ended**, The HOPE would not have collected any more information about your education. The HOPE would keep the education information we had collected whilst you were in care as part of your case record. Local authorities have to keep case records for children in care until the person reaches their 75th birthday.

Once you left care because you were a **care leaver**, The HOPE would have collected information about you until you reached 25 years old (e.g. where you were educated post 16, or any Apprenticeship or training you did). The HOPE would also keep the education information we had collected whilst you were in care as part of your case record. Local authorities have to keep case records for children in care until the person reaches their 75th birthday.

¹ **Relevant Child:** a young person who is 16 or 17 who has left care after their 16th birthday and before leaving care was an eligible child;

Former Relevant Child: a young person who is aged between 18 and 21 (or beyond if being helped with education or training) who, before turning 18 was either an eligible or a relevant child, or both.

Eligible Child: a young person who is 16 or 17 and who has been looked after by the local authority for at least a period of 13 weeks since the age of 14, and who is still looked after.

Qualifying care leaver: a young person aged between 16 and 21 OR between 16 and 25 if still in full-time education; looked after by children's services on, or after, their 16th birthday and no longer looked after; spent less than 13 weeks in care since 14th birthday, i.e. do not fulfill criteria for eligible or relevant child.

Once you left care because you were **adopted**, The HOPE would not normally keep any more information about your education. The HOPE would keep the education information we had collected whilst you were in care as part of your case record. Local authorities have to keep case records for children adopted from care for at least 100 years after the Adoption Order is made.

The only time that The HOPE would possibly keep any more information about your education once you were adopted is if your school or adoptive parent asked us for advice or guidance. Your school can ask The HOPE for advice or guidance if it is a maintained school or academy and if you are between two years old to the end of Year 11. The HOPE would keep a record of the advice or guidance given.

Once you left care under a **Special Guardianship Order** or a **Child Arrangements Order**, The HOPE would not normally keep any more information about your education. The HOPE would keep the education information we had collected whilst you were in care as part of your case record. Local authorities have to keep case records for children in care until the person reaches their 75th birthday.

The only time that The HOPE would possibly keep any more information about your education once you left care under a Special Guardianship Order or a Child Arrangements Order is if your school or guardian or carer asked us for advice or guidance. Your school can ask The HOPE for advice or guidance if it is a maintained school or academy and if you are between two years old to the end of Year 11. The HOPE would keep a record of the advice or guidance given.

Students who were previously looked after who were in care to another local authority and were educated in a Bristol school

The HOPE may also have some information about your education when you were in care if you were looked after by another local authority but were on roll or attending a Bristol school *if* that local authority or the school told us you were at that school. However, the local authority that you were looked after by is responsible for your case record so you should contact that authority or the Bristol school/s you went to.

If you were a young person in care in any of the groups mentioned in this document, the information The HOPE could have kept about your education, the reasons we collected it and who it might have been shared with are listed in our *Privacy Notice for children in care and care leavers*. You can find that information at the end of this Privacy Notice.

Requesting access to your personal data

Under data protection legislation, students who were previously in care may have the right to request access to information about you that we hold. To make a request for your personal information, contact:

Senior Data Protection Officer
Bristol City Council
ICT Commissioning and Information Governance

P O Box 3176
BRISTOL
BS3 9FS
Data.protection@bristol.gov.uk

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress unless it is processed because we are legally obliged to
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed;
- claim compensation for damages caused by a breach of the Data Protection regulations.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

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The HOPE Virtual School for Children in Care (CiC): Privacy Notice (How we use students' information)

Students looked after by Bristol City Council (BCC)

The age range of the students whose data we collect is from the age of two years (if in a funded education place) to the end of statutory school education (Year 11), plus Care Leavers² up the age of 25.

The types of student information that we collect, hold and/or share are:

- Personal information (name, gender, date of birth, year group, date became looked after, unique pupil number, on roll and, if relevant, attending education setting, educating Local Authority (LA), responsible LA, student's address, student's phone number, education setting history, Personal Education Plans (PEPs), photo of you – if uploaded by the education setting to our secure online database)
- Characteristics (ethnicity, English as an Additional Language learner, care status, any special educational needs and disabilities, unaccompanied asylum seeker status)
- Assessment information (progress and outcomes data)
- Attendance information for students in Year R to Year 11 (students missing education, and for those in education, sessions attended, number of absences and absence reasons)
- Information about a student's needs, to inform decisions about education choices

² **Relevant Child:** a young person who is 16 or 17 who has left care after their 16th birthday and before leaving care was an eligible child;

Former Relevant Child: a young person who is aged between 18 and 21 (or beyond if being helped with education or training) who, before turning 18 was either an eligible or a relevant child, or both.

Eligible Child: a young person who is 16 or 17 and who has been looked after by the local authority for at least a period of 13 weeks since the age of 14, and who is still looked after.

Qualifying care leaver: a young person aged between 16 and 21 OR between 16 and 25 if still in full-time education; looked after by children's services on, or after, their 16th birthday and no longer looked after; spent less than 13 weeks in care since 14th birthday, i.e. do not fulfill criteria for eligible or relevant child.

- Information on participation by students in activities and events provided by The HOPE (name, contact details, consent form completed by the social worker, output from the student, if any)
- Personal information about professionals inside and outside of the education setting who are involved with the student (Headteacher and Designated Teacher for CiC names and email addresses), social worker name, Independent Reviewing Officer (IRO) name, Virtual School person's name, carer's name, address and phone number and, sometimes, email address, other BCC colleagues' name, and, where applicable, other LA colleagues' name, Youth Offending Team (YOT) staff and Child and Adolescent Mental Health Service (CAMHS) staff)

Why we collect and use this information

We use the student data to:

- monitor and report on progress, outcomes and attendance
- support and challenge professionals involved in the student's education to achieve the best outcome for individual students
- verify if the student is eligible for the Looked After Children (LAC) Pupil Premium Grant (Year R to Y11)
- let the student and/or their carer know about competitions, visits or other activities organised or advertised by The HOPE
- check on the quality of our service as a Virtual School
- comply with the law regarding data sharing.

Students' data are kept on a secure, central online database, access to which is maintained by The HOPE and Bristol City Council. Some data are kept on The HOPE's section of Bristol City Council's computer network which is stored on secure servers.

The lawful basis on which we use this information

We collect this data because we are legally required to by the following laws:

- Section 7 of the Local Authority Social Services Act 1970
- 22(3A) of the Children Act 1989 to promote the educational achievement of looked-after children
- 23ZZA of the Children Act 1989 (added by section 4 of the Children and Social Work Act 2017) to promote the educational achievement of previously looked-after children
- Care Planning, Placement and Case Review (England) Regulations 2010, as amended

Collecting student information

The majority of student information we collect is required by law.

Some of the student information we collect is provided to us on a voluntary basis. We will ask for your consent if we need to collect information that you have a choice about giving us. You can refuse to give your consent. If you refuse consent, we will not be able to use your information and that will affect what we can do for you. Examples of where we would ask for consent are to use a piece of work created by a student or students in a publication

or on a website, or use a photo/video/audio that identifies a student or students. Photos, videos or other information given by consent will be kept for three years from the date of consent.

Storing student data

Education information relating to a young person in care or Care Leaver that forms part of their case record has to be kept by the Council until the 75th anniversary of the date of birth of the child. This is required by The Arrangements for Placement of Children (General) Regulations 1991. Local authorities have to keep case records for children adopted from care for at least 100 years after the Adoption Order is made.

Who we share student information with

We routinely share student information with people working to support the student's education. This includes:

- staff in The HOPE Virtual School
- staff in education settings where the student is on roll and/or attending
- the student's social worker and Independent Reviewing Officer
- the student's carer, and, if permitted, the student's parent
- other Bristol City Council colleagues
- colleagues in other Councils, where relevant (e.g. a student is living or educated outside of Bristol)
- colleagues from other organisations, where relevant e.g. not for profit organisations, Independent Fostering Agencies (IFAs), training or Apprenticeship providers , independent social care agencies, providers of mentoring services, NHS staff, Youth Offending Teams etc.

In addition, Bristol City Council and/or The HOPE uses external companies to do certain jobs on its behalf so relevant student data will be shared with those contractors to enable them to do what they have been asked. The HOPE uses external contractors to:

- provide our online database (CLA Tracker)
- collect attendance data for Bristol CiC
- provide tutors for Y11 students.

Bristol City Council commissions LiquidLogic to provide the Education and Early Years System (EYES) and the Education Portal.

Why we share student information

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

When we share data, it is to support Bristol young people in care and care leavers to do the best they can in their education.

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