

Privacy Notice: The HOPE Virtual School for Children in Care (CiC)

Bristol City Council (BCC) is the data controller for the purposes of the Data Protection Act 1998 and other regulations including the General Data Protection Regulation (Regulation (EU) 2016/679), which means it determines what your data is used for and why it is collected. The purpose of this privacy notice is to tell you about what information we collect about you when you are in contact with The HOPE Virtual School for Children in Care (also called The HOPE), how we use that information and who we may share it with.

The contact details of the data controller are The HOPE Virtual School for Children in Care. Email: thehope@bristol.gov.uk

Who do we collect data on?

- Bristol students in care educated in Bristol.
- Bristol students in care educated outside of Bristol.
- Students in the care of another local authority educated in Bristol *if* the local authority or Bristol school have informed us that the young person is there.

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, plus care leavers up the age of 25.

In addition, we may have data on students previously looked after by BCC in any of the following groups:

- the Court Order or voluntary arrangement ended so the student was no longer in care
- the young person is a Care Leaver¹
- the young person was adopted from care
- the young person left care under a Special Guardianship Order
- the young person left care under a Child Arrangements Order (this was formerly called a Residence Order).

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.

The HOPE may also have some information on students when they were in care if they 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 the student was at that school. However, the local authority that the student was looked after by is responsible for their students' case records, so you should contact that authority or the Bristol school/s the student went to.

What data we need to collect and the legal basis for processing it

The HOPE will process:

- Personal information about students (name, gender, date of birth, year group, date became looked after, unique pupil number, on roll and, if applicable, attending education provision, educating LA, responsible LA, student's address, student's phone number, school history, Personal Education Plans (PEPs), photo of student - if uploaded by education setting to our secure online database)
- Characteristics of students (ethnicity, EAL learner, care status, any SEND, UAS)
- Assessment information on students (progress and outcomes data)
- Attendance information on Bristol students in Year R to Year 11 (students missing education, and for those in education - sessions attended, number of absences and absence reasons)
- Contextual information such as a specific young person's needs, to inform decisions about education placements
- 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) – not collected for post 16 students
- Personal information about staff in education settings (name and email address of the designated teacher (DT) for CiC and Headteacher, names of other staff involved with the student, training provided by The HOPE that the DT has attended, name and, sometimes, email address of the named governor for CiC if s/he attends training provided by The HOPE)
- Personal information about professionals outside of the education provision who are involved with the student (social worker name, Independent Reviewing Officer (IRO) name, VS person name, carer's name, address and phone number and, sometimes, email address, other BCC colleagues' name, and, where applicable, other LA colleagues' name and names of professionals from other organisations e.g. Child and Adolescent Mental Health Service)
- Personal information about HOPE governors (name, email address, personal address and phone number [if given on contact form])
- Personal information on contractors/data processors in order to process data on behalf of The HOPE (name, email address, phone number, work address)

Once a student is adopted from care or leaves care under a Special Guardianship Order or under a Child Arrangements Order, The HOPE may keep further information about the student and their education. If the school, guardian or carer asked us for advice or guidance, The HOPE would keep a record of the advice or guidance given. Maintained schools and academies can ask The HOPE for advice or guidance for previously looked after students in those groups from the ages of two (if in a funded early years place) to the end of statutory aged education (end of Year 11).

We collect this data because we are legally required to under the following legislation:

- 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

How long we will keep data for

The Arrangements for Placement of Children (General) Regulations 1991 state that a case record relating to a child who is placed shall be retained by the Council until the 75th anniversary of the date of birth of the child to whom it relates.

If the child dies before attaining the age of 18, the case record shall be retained by the Council for a period of 15 years beginning with the date of the child's death.

Local authorities have to keep case records for children adopted from care for at least 100 years after the Adoption Order is made.

The HOPE will retain students' data in line with the above timescales.

Information on professionals is retained as part of the child's record e.g. carer's details will be recorded on PEP forms. The exception to this is information on training provided by The HOPE that staff/governors at an education setting have attended which is retained for five years from the date of the most recent training. After this, your information will be deleted or archived.

Why we need to collect data

We use the student data to:

- monitor and report on student progress, outcomes and attendance
- support and challenge to achieve the best outcome for individual students
- verify students eligible for the LAC Pupil Premium Grant (Year R to Year 11)
- communicate about participation opportunities for young people
- assess the quality of our services
- 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 BCC's computer network which is stored on secure servers.

We use the professionals' data to:

- contact those concerned with promoting the educational achievement of the student.

The reasons for contacting professionals include to:

- support and challenge to achieve the best outcome for individual students
- provide information to keep stakeholders up to date e.g. via Newsletters from the HOPE Virtual School, communication about participation opportunities for young people
- comply with the law regarding data sharing.

Who we share data with and why

Data will be shared, as necessary to support the student's education, with relevant professionals. This includes HOPE staff, staff in education settings, social workers, IROs, carers, other BCC colleagues, other LA colleagues, where applicable, Youth Offending Team (YOT) staff and other organisations, where applicable, e.g. Child and Adolescent Mental Health Service (CAMHS) staff.

In addition, Bristol City Council and/or The HOPE commissions external contractors to undertake activities on its behalf so relevant data will be shared with those contractors to enable them to fulfil their contractual obligations. The HOPE commissions 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.

Some of the carer (and student) information we collect is provided to us on a voluntary basis. We will ask for 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 carer or student in a publication or on a website, or use a photo/video/audio that identifies a carer or student. Photos, videos or other information given by consent will be retained for three years from the date of consent.

Where we have received your data from a third party

The majority of the personal data relating to students comes via the social care department of the local authority that looks after them. The majority of our data about education establishments, staff contact details and students' progress and outcomes come from education settings. The majority of our data about attendance comes from the education establishment via an external contractor.

Your rights as a data subject

You have the right to ask for access to your data and where data is found to be inaccurate to have that data corrected. In certain circumstances you have the right to have data held about you erased, or the use of it restricted. You may be able to object to processing unless it is processed because we are legally obliged to.

Parents may have the right to ask for access to your child in care's data and, where data is found to be inaccurate, to have that data corrected. The decision on whether to grant access to the young person's data will be determined by BCC's Data Protection Officer in conjunction with the Virtual School Headteacher and social care colleagues.

You also have a right of complaint to the Information Commissioner's Office (ICO) at www.ico.org.uk if you think we have not dealt with your information in a proper manner.

You can ask to see what information we hold about you and have access to it. You can do this by contacting:

Senior Data Protection Officer
Bristol City Council
ICT Commissioning and Information Governance
P O Box 3176
BRISTOL
BS3 9FS
Data.protection@bristol.gov.uk

Other questions about the data being processed may also be sent to the above address.

Fraud Prevention and Detection:

Bristol City Council is required by law to protect the public funds it administers. It may share information provided to it with other bodies responsible for auditing, administering public funds, or where undertaking a public function, in order to prevent and detect fraud. For more information visit www.bristol.gov.uk/data-protection-foi/fraud-prevention-and-detection.

Glossary of abbreviations used:

EAL – English as an Additional Language

LA – Local Authority

LAC – Looked After Child/ren

SEND – Special Educational Needs and Disabilities

UAS – Unaccompanied Asylum Seeker