

## **Privacy Notice for Fair Access Protocol Processing**

### **Purpose for processing your information**

The Bi-Borough Fair Access Officer sits within the Admissions and Access to Education Service. The purpose is to fulfil the statutory duty in accordance with Para. 3.9 of the School Admissions Code to ensure that outside of the normal admissions round - unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. This is achieved through the mechanisms of a Fair Access Protocol that admission authorities are legally obliged to participate in.

### **We collect the following information:**

In order to carry out activities and obligations as Local Authority Officers, we process personal information in relation to parent/carers and children:

- Personal contact details such as name, title, addresses, contact numbers, and personal email addresses.
- Personal demographics (including date of birth and gender)
- Education information including any Special Educational Needs and Disability (SEND) and previous or current school information.
- Involvement with statutory services such as Social Care, Access and Early Help, MASH, School Admissions, Exclusions, Data Team, Housing, TBAP Multi-Academy Trust, SEND, and Youth Justice Service.
- Receipt of benefits
- Council tax
- Involvement with the Home Office
- Involvement with the Police and/or probation

We also obtain personal information from other sources including personal details, characteristics, educational history and professional involvement, from previously attended schools, NHS, other local authorities.

This information is only used for the intended purpose but if we intend to use it for any other purpose; we will normally ask you first. In some cases, the Council may use your information for another purpose if it has a legal duty to do so, to provide a complete service to you, to prevent and detect fraud, or if there is a risk of serious harm or threat to life.

### **How we collect your information**

The initial application for a school place, either submitted online or a hard copy paper will be the key source of information referenced when considering the threshold for a Fair Access placement by the Fair Access Officer on behalf of the LA. For re-integrations back to mainstream school via the Fair Access process, The TBAP Multi-Academy Trust will provide all personal data as set out above to the Fair Access Officer by password protected email exchange.

### **Who the information is shared with**

The Fair Access Officer may also use your information for other legitimate purposes and may share (where necessary) with other Council departments and external bodies responsible for administering services to children and young people. Reasons for sharing information with the internal and

external bodies will be; to enable the tracking and monitoring of children referred for a Fair Access placement residing within the Bi-Borough (Westminster, Kensington and Chelsea local authorities), to fulfil the council's safeguarding duty and comply with the Prevent Strategy, the Home Office to notify of potential illegal immigration and the Police may request information at any time as part of a criminal investigation.

Internal bodies are; Admissions and Access to Education that covers Children Missing Education (CME), Elective Home Education (EHE) Exclusions and Child Licensing, the Data Team, the Early Help Service, the MASH Team and Safeguarding service, Governance and Legal Services.

External bodies are; schools/academies, including independent and boarding, other Councils/boroughs and the Police. The Home Office and the Department of Work and Pension.

For the purpose of validating proof of address, the Fair Access officer will refer to data held by any of the services mentioned above, internal Council Tax records, the Housing Team, Parking Services and the Fraud Team.

### **How long do we keep your information?**

The Fair Access Officer on behalf of the LA will keep your application record for 3 years. After this time it will be deleted.

### **Your rights and access to your information**

You have the right to request a copy of the information that we hold about you.

The new General Data Protection Regulation also gives you additional rights about the information we hold about you and how we use it, including the right to:

- Withdraw consent and the right to object and restrict further processing of your data; however, this may affect service delivery to you.
- Request to have your data deleted where there is no compelling reason for its continued processing and provided that there are no legitimate grounds for retaining it.
- Request your data to be rectified if it is inaccurate or incomplete
- Have your data transferred or copied should you move to another authority
- Not be subject to automated decision-making including profiling

To submit a Subject Access Request email the Fair Access Officer at [paul.worts@rbkc.gov.uk](mailto:paul.worts@rbkc.gov.uk).

### **If you have any concerns**

Please contact us if you would like to know more about the information we hold about you and how we use it. The Bi-Borough Fair Access Officer can be contacted on tel: 020 7745 6614 (RBKC) between 9.00am – 5.00pm Monday to Friday during school term time.

You have a right to complain to us if you think we have not complied with our obligation for handling your personal information; email the Bi-Borough Fair Access officer: [paul.worts@rbkc.gov.uk](mailto:paul.worts@rbkc.gov.uk). Your concerns will be investigated via the respective Council's complaints procedures.

If you are not satisfied with the Council's response you have a right to complain to the Information Commissioner's Office (ICO). You can visit the ICO website at: <https://ico.org.uk/concerns/handling/>

**Changes in your circumstances**

You must notify us immediately if there are any changes in your circumstances and personal details so we can maintain an accurate and up to date record of your information.