

## **Hampshire County Council Admissions Application (All Phase) – Privacy Notice**

### **Why do we collect and use this information?**

Hampshire County Council is the Data Controller for the purpose of collecting and using information from parents/carers and schools/academies to carry out our responsibilities as the Local Authority (Home Authority) for children who live within Hampshire County Council's geographical area (so not including Southampton or Portsmouth), as well as processing information about any children who live outside of Hampshire but apply for a school/academy (excluding independent schools) within Hampshire's geographical area.

We collect information about your child as well as information about you as their parent/carer submitting their school application, a wider family member if needed to support certain criteria, alongside details of any siblings who already attend the school you are applying for. We hold this personal data securely and use it to:

- Process your child's application including validating information provided (e.g. catchment area is correct for school applied for), establishing a priority list for admission and waiting list priority order if oversubscribed, and communicating the application outcome in writing to you;
- Share application data with Other Local Authorities in order to co-ordinate main round applications;
- Share with schools/academies to assist in processing applications;
- Manage enquiries around the application;
- contribute to the core education record of your child held by the County Council;
- Undertake statistical forecasting and planning;
- Complete statutory returns;
- Undertake wider County Council statutory duties in support of your child's education and welfare; and
- Ensure compliance with our obligations under the accuracy principle of the General Data Protection Regulation (Article (5)(1)(d)), making sure our records about you and your family are up to date.

CAPITA plc is a data processor for this information acting on our instructions for the purpose of delivering a contract to the County Council around the hosting and supporting of the CAPITA One system, which the County Council uses to store the information provided to us, as identified under this privacy notice. This includes accessing the CAPITA One system to fix any technical issues to ensure the system is fit for use.

The following sections provide further detail around the information we process setting out what allows us to do this (lawful basis), who we may share it with, how long we keep it for (the retention period), alongside identifying any rights you may have and who to contact if you think we're not handling your information in the right way.

### **The categories of information that we collect, hold and share**

The following personal and special category information is processed:

- your child's personal information (name, address, date of birth, school, Year Group);
- information about your child's characteristics (such as gender, faith grounds indicator, looked after status indicator);
- previous school information (school name, leaving date);
- any siblings attending the school you are applying for personal information (name, date of birth) and school details (current year group);
- your personal information (name, address, email, relationship to child) and characteristics (parental responsibility status, service family indicator, staff member indicator); and
- the supporting evidence you provide relevant to your application (such as address evidence, medical evidence, care responsibility evidence e.g. adoption certificates/care orders).

### **The lawful basis on which we use this information**

We collect and use the information ensuring that we comply with the General Data Protection Regulation (GDPR) requirements for processing through:

- Article 6(1)(e) - the processing is necessary to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law;
- Article 9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures; and

- Sch.1, Pt.2, 1 - Substantial public interest conditions, for processing under the Data Protection Act 2018 (when enacted).

These articles under the GDPR and Data Protection Act 2018 (DPA2018) are supported by the following specific legislation:

- The School Admissions Code issued under Section 84 of the School Standards and Framework Act 1998 ('SSFA 1998');
- Sections 85(2), 96 and 97 of the SSFA 1998 and Chapter 1 of Part 3 of the SSFA 1998;
- The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012;
- The School Admissions (Infant Class Sizes) (England) Regulations 2012;
- The School Admissions (Appeals) (England) Regulations 2012; and
- The School Information (England) Regulations 2008.

Under this lawful basis we do not require your consent to process this information but we are required, through this privacy notice, to ensure you are fully informed of why we are collecting this information and what we will do with it.

Please note that no automated decision making (decisions taken without a person involved) occurs for any parts of these activities controlled by the County Council.

The County Council does use profiling as part of the admissions basis. The first set of profiling is used in how we administer the admissions process by splitting each academic year's activity into age groups (Year R, Year 3 and Year 7) and main round or in-year admissions. The second approach to profiling is within the admissions criteria, when applicants are established against where they rank against an educational establishment's admissions criteria. This is based on characteristics such as being a Child Looked After, child of an individual who works at that educational establishment and for faith schools, their religion.

### **Storing and Securing Data**

The information provided to us will be held within the County Council's CAPITA One system, which is we use to provide our Admissions service case management system. The information held within CAPITA One will be kept in line with our retention schedule and then disposed of as appropriate. The County Council's CAPITA One system is hosted by CAPITA plc in secure data centres based in the UK. No information leaves the European Economic Area (EEA) and the information is encrypted when in transit between County Council users of the system and the data centre the information is hosted within.

The original application (if paper based) and any supporting evidence you provide will be scanned to create an electronic record and stored within the County Council's Document Management System (DMS), with the paper version being destroyed. The file will be linked to the record created in CAPITA One by the use of a reference identifier. The information held within the County Council's DMS will be kept in line with our retention schedule and then deleted as appropriate. The County Council's DMS is hosted by the County Council in secure UK based data centres, which are on site. No information leaves the European Economic Area (EEA).

The County Council takes its data security responsibilities seriously and has policies and procedures in place to ensure the personal data held is:

- prevented from being accidentally or deliberately compromised;
- accessed, altered, disclosed or deleted only by those authorised to do so;
- accurate and complete in relation to why we are processing it;
- continually accessible and usable with daily backups; and
- protected by levels of security 'appropriate' to the risks presented by our processing.

The County Council also ensures its IT Department is certified to the internationally recognised standard for information security management, ISO27001.

### **Who do we share information with?**

We do not share information with anyone unless there is a lawful basis that allows us to do so.

We are required by law to share pupils' data with the DfE around main round application outcomes. This data sharing underpins funding and educational attainment policy and monitoring. To find out more about the data collection requirements placed on us by the DfE please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>. If you would like to find out

more about the pupil information we share with the DfE for the purpose of data collections, please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We share with schools/academies to assist in validating applications, to enable schools/academies to process in year applications, to enable them to rank applications (for own admission authority schools and schools/academies with a school specific criterion only) and to enable the school/academy to establish their school record for applicants allocated a place.

Section 88P of the SSFA 1998 requires the County Council to make reports to the Schools Adjudicator about such matters connected with relevant school admissions as required by the Code.

If your child has another parent who has Parental Responsibility for them, who may not live with you or your child, then they may also have submitted an application on your child's behalf, which they are legally entitled to do. If we do receive more than one application, stating different school preferences and/or addresses for the child, we will be required under the statutory process to contact both parents to inform them that multiple applications have been received. The individual detail within the application (such as schools selected or the address of applicants) will not be disclosed to the other party but the identity of the applicant will be shared. This is so both parties can finalise arrangements as the law requires that only one school place can be offered and only one address can be used for the application.

Depending on the individual circumstances of each situation, we may have to share this information with other teams within the County Council to fulfil other duties and powers to support our work. These might include areas such as our Home to School Transport (for supporting your transport requirements); Education Inclusion Service (x), Children Missing Education (for ensuring the provision of full time education); Data Protection Team (for personal data incidents); Virtual School (for support of children looked after); Independent Appeals Service (in supporting the appeals process) and/or other Social Care teams (supporting welfare, safeguarding and corporate parent functions).

As part of our statutory function to co-ordinate admissions applications we may need to share information about your application and outcome with another Local Authority if you've applied for a school in their geographical area but live in Hampshire or if you live outside of Hampshire but have applied for a school within Hampshire.

### **Requesting access to your personal data and your rights**

Under data protection legislation, individuals have the right to request access to information about them that we hold. To make a request for your personal information, or someone you have responsibility for, please contact the Children's Services Department's Subject Access Request (SAR) Team, whose contact details alongside further information around this process can be found via:

<https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/accessrecords>

You also have the right to:

- prevent processing for the purpose of direct marketing;
- object to decisions being taken by solely automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations.

Please note that under the GDPR, there is also a right to erasure but the right to erasure does not provide an absolute 'right to be forgotten'. Where the data being processed is for the purpose of 'performing a task in the public interest or for our official functions, and the task or function has a clear basis in law' (Article 6(1)(e)), this right does not automatically apply.

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

### **Contact Details**

If you would like more information about these services please visit our website via:

<https://www.hants.gov.uk/admissions>

For further information on how we handle personal information, your data rights, how to raise a concern about the way we are processing your information and the County Council's Data Protection Officer, please see our General Privacy Notice:

<https://www.hants.gov.uk/aboutthecouncil/strategiesplansandpolicies/dataprotection>