

Southend-on-Sea Borough Council

School Admission Appeals privacy notice

Southend Statutory School Appeals service provide the means to appeal a placement in a school or an exclusion.

Who we are

Southend-on-sea Borough Council's Admissions Team (admission team) collects, uses and is responsible for certain personal information about you and your child. When we do so we are required to handle the information under the applicable data protection legislation, including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA). We are responsible as the 'controller' of that personal information for the purposes of those laws.

The admissions team has a legal duty to support schools and parents who wish to appeal a refusal to a school.

Personal information we collect and use for the appeal process

Information collected by us on the appeal form

- your personal information (such as name, address, contact details)
- your child's personal information (such as name, address, date of birth)
- current school /setting
- school preference information and parent's reasons for selection
- name and date of birth of any sibling already attending a preferred school
- looked after children, adoption, special guardianship order or child arrangement history
- additional information you may provide, such as medical details, personal circumstances and reasons for your case to appeal (such as, but not limited to, attendance at a particular church, details of your child's aptitudes, information about attendance).

How we use your personal information

We use your personal information to:

- provide the service, such as review the processing of your application form and build the case paper for the appeals panel
- review the service planning and improve the service
- Prevent or Detect of Fraud/Crime
- Research (using anonymised data only unless we specifically request your consent to use identifiable personal data)

How long your personal data will be kept

We will hold your personal information securely for a period of two years for admission cases after which the information is archived or securely destroyed in line with the organisations retention schedules.

Reasons we can collect and use your personal information

The lawful basis for processing your information is necessary for compliance with a legal obligation and our task in the public interest of meeting our legal obligation to provide parents with the opportunity to appeal and to prepare for the presentation of the admission authorities case. If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest (equality of opportunity or treatment). If we cannot use your data we would be unable to fulfil your request.

Who we share your personal information with

- **The Independent appeals clerk;** All correspondence relating to an admission appeal, the notes taken by the Clerk at the appeal hearing, and the decision letter written by the Clerk on behalf of the Appeal Panel will also contain personal data relevant to admission appeals, as referred to above.
- **The independent appeals panel;** Independent Panel Members appointed by Southend-on-Sea Borough Council who will be hearing the appeal are sent a copy of the appeal form, any other information submitted by the person appealing, the admission authority's written statement and any other information submitted by the admission authority. This is because an independent panel must determine school admission appeals and must take into account all the information submitted for an appeal in order to make a decision. Appeal Panel Members are provided with hard copies of appeal data and are aware of its confidentiality and the purpose for which the data has been shared with

them. Panel Members hand in their hard copies of appeal data to the appeal Clerk for confidential shredding at the end of appeal hearings

- **The person appealing** will also receive a copy of all the information submitted by them and the admission authority for the appeal
- **The Headteacher** of the school you are appeal for
- Commissioned providers of local authority services (such as education services, Department for Education and the Virtual School) only if applicable
- We will share personal information with law enforcement or other authorities if required by applicable law.
- Under limited and controlled conditions information is shared with, other Local Authorities the police and with national agencies such as CEOP. This is under safeguarding duty as per Schedule 2, part 1, 2(1) Data Protection Act 2018.
- Where an application is unclear and inconsistent, details may be matched against council tax records and in serious cases with the Fraud team. This will be to assist in the prevention and detection of address fraud for the purpose to gain an unfair advantage in the school application system and under Schedule 2, part 1, 2(1) Data Protection Act 2018.

Your rights

As a data subject you have rights which you can exercise free of charge which allow you to:

- know what we are doing with your information and why we are doing it
- ask to see what information we hold about you (subject access request)
- ask us to correct any mistakes in the information we hold about you
- object to direct marketing
- make a complaint to the Information Commissioners Office
- withdraw consent at any time (if applicable)

Depending on our reason for using your information you may also be entitled to:

- ask us to delete information we hold about you (after we have run the appeal and the period of 2 years is over)
- object to decisions being made that significantly affect you
- object to how we are using your information
- stop us using your information in certain ways

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note, your request may delay or prevent us delivering a service to you.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

If you have any questions about this service please contact the Schools Admission team on admissions@southend.gov.uk or on 01702 212934.

To find out more about how the Council carries out its data protection responsibilities please view the Councils full privacy notice by visiting www.southend.gov.uk/privacynotice. If you would like to exercise a data subject right or have a query about how we have handled your data, please contact the Data Protection Advisory Service at dataprotection@southend.gov.uk

For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioners Office (ICO) on individuals' rights at www.ICO.org.uk.