

Privacy Notice

This privacy notice sets out how West Berkshire District Council (the “**Council**”) will use your personal data, and your rights in relation to that personal data. This document describes how and why we collect, store, protect, process and share the data you give to us. It is written in accordance with the UK data protection legislation.

This notice relates to personal data collected under The West Berkshire Educational Psychology Service. We will use this information to inform and gather information for Educational Psychologist involvement with Children and Young People (CYP).

This notice applies to potential, current and former customers of the service and those we have contacted but have opted not to partake in the service. It is important that you read this notice so that you know how and why we use information about you. It is also important that you inform us of any changes to your personal information so that the information which we hold is accurate and current.

Date of Issue: 13/06/2022

Update History:

2018 Version 1.0	First issue of a new Privacy Notice
2022 Version 2.0	Amendment of privacy notice to include changes to legislature and to include Survey Monkey
2022 Version 3.0	Amended to update the transfer overseas section as survey and response data collected through the Survey Monkey account is now being stored in the EU Data Centre instead of the US.

Directorate: Communities
Service: Education
Team: Educational Psychology Service

About the Organisation

The Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire District Council
Market Street
Newbury
Berkshire
RG14 5LD

ICO Registration Number: **Z6825178**
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

The Data Protection Officer

Contact details for the Data Protection Officer at the Council can be found at:
<http://info.westberks.gov.uk/dpofficer>

THE PERSONAL DATA WE HOLD ABOUT YOU

We will process the following personal data about you:

When a school requests involvement from the Educational Psychology Service (EPS), the Council will collect the following information about you and your Child or Young Person (CYP) in the format of a Request for Involvement form. This is completed by you and the school.

We collect:

- The name, Date of Birth and age of the CYP
- The home address of the CYP
- Ethnicity of the CYP
- Contact details of parent/legal guardian (postal address, phone number, email)
- The school/educational institution the CYP is attending

From schools and other alternative provision providers, the Council will collect:

- Attainment information such as reading and spelling age
- Details of interventions implemented in the school such as Guided Reading
- If the CYP receives Pupil Premium funding
- If the CYP is a Looked After CYP
- If the CYP has an EHC plan
- If the CYP has Early years pupil premium
- If other agencies have been involved with the CYP such as the Therapeutic Thinking Support Team (TTST)
- The reason for the school requesting involvement from an Educational Psychologist (EP)
- The views of the CYP on an EP becoming involved
- The views of the parent/legal guardian about their CYP's involvement with an EP

The following explains what data is held in relation to the delivery of EP services:

School Planning Notes: The EP may hold planning meetings with the school/educational institution where a CYP may be discussed. The school contact is asked to confirm that verbal consent has been given by the parents/legal guardian of the CYP before specifically naming the CYP. If no verbal consent has been given, the CYP will be referred anonymously.

EP Report/Record/Consultation: After working with an individual CYP and/or professionals, the EP will produce a report or record of involvement. This will include personal and confidential information related to the CYP and their family. A copy of this report will be sent to the school the CYP attends, to the parents/legal guardians and other relevant professionals. This report is shared to provide support and advice to the school and should not be used for any other reasons. Unless required by law the report should not be shared or the data processed in any other way with any other person without the council's express permission.

Related CYP documentation: School and parents/legal guardians may provide additional documents to support the EPs work with the CYP e.g. Special Educational Needs (SEN) Support Plans, School Attendance data, Education Health and Care Plans, reports by other health professionals etc.

These details are collected and held on the Council's electronic systems and will be protected using up-to-date technical and organisational security measures.

SURVEY MONKEY

We sometimes use an online survey tool called Survey Monkey to collect your responses to a consultation or engagement exercise. Data collected by this method is stored by the providers. To read about their Privacy Policy and Security Statement visit:

- <https://www.surveymonkey.com/mp/policy/privacy-policy/>
- <https://www.surveymonkey.com/mp/policy/security/>

Data may also be held on the council's electronic systems and will be protected using up-to-date technical and organisational security measures.

Transfer overseas

As an international company Momentive have Data Centres in the United States, Canada and Ireland (EU). Your response to a survey collected through Survey Monkey is held in their EU Data Centre in Ireland.

Special Category Data

We may request information which falls under special category data in our surveys. This could be your name, school, school year and responses to psychological assessment tools. Article 9(2)(a) of the UK GDPR permits us to process special category data if the data subject has given explicit consent to the processing of the data for one or more specified purposes. When a survey includes special category data you will be explicitly asked at the start of the survey for your consent to providing this data.

SOURCE OF YOUR PERSONAL DATA

We collect the above information about you from the data you enter when a school requests Educational Psychology involvement with the Child or Young Person, when a school requests a supportive intervention involving a Child or Young Person or when the Special Educational Needs Team requests our involvement in the Educational Health and Care Plan assessment process.

PURPOSE AND LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA

In accordance with the data protection laws, we need a "legal basis" for collecting and using information about you. There are a variety of different legal bases for using personal data which are set out in the data protection laws.

We have set out below the different purposes for which we collect and use your personal data, along with the legal basis we rely on to do so.

Why we use your information	Our legal basis for using your information
We will use this information to inform and gather information for Educational Psychologist	Under the UK General Data Protection Regulation (GDPR), the lawful basis we rely

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<p>involvement with Children and Young People (CYP).</p> <p>Where a service or information request requires you to submit further personal information, a separate privacy notice will describe how we will use that data.</p>	<p>on for processing the information is Article 6 UK GDPR:</p> <ul style="list-style-type: none"> • (a) Your consent • (e) We need it to perform a public task <p>Special category data is being processed under Article 9 UK GDPR:</p> <ul style="list-style-type: none"> • (a) you have given your explicit consent • (h) processing is necessary for provision of health or social care treatment <p>You can read the guide to lawful basis for processing special category data on the Information Commissioner's Office website.</p>

SHARING YOUR PERSONAL DATA

You will be able to see and update your data through a data request. Please visit here for more information <http://www.westberks.gov.uk/dprequest>.

Your data will be seen by employees of the Council relevant to the service or information request you have made.

Where a service or information request requires us to share your data with other parties, a separate privacy notice will describe who that is.

We may share your personal data with third parties where it is necessary for the delivery of the service.

We may also share your data if we are required to do so by law, for example by court order or to prevent fraud or other crime.

RETAINING YOUR PERSONAL DATA

Your personal data will not be kept longer than necessary. You can check how long the organisation will keep each type of data against West Berkshire Council's retention schedule (www.westberks.gov.uk/retention).

YOUR RIGHTS

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.
- **Withdraw consent** to the processing of your personal data at any time, where processing is based on your consent. To withdraw your consent, please contact our Data Protection Officer using the contact details below. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

HOW TO MAKE A REQUEST

If you wish to make a request associated with any of the rights listed above, contact the Council using the contact details at the top of this notice.

INTERNATIONAL TRANSFERS

Your personal data will not be processed outside the UK or by an international organisation.

COMPLAINTS

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. Further information can be found at: <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>

The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0303 123 1113

Email: casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.