

Privacy Notice: Durham County Council Children And Young Peoples Services Progression and Learning

This Privacy Notice tells you about what information we collect about you, how we use that information and who we share it with.

1. Who we are and what we do

Durham County Council has a number of statutory duties to assist young people to progress into opportunities in education, training or employment.

These statutory duties commence from Year 11 and can be up to a young person's 25th birthday if they have an Education, Health and Care Plan or are a care leaver.

Support and guidance can commence earlier than Year 11, or can extend beyond age 25, if a young person is a participant of one of Durham County Council's European Social Fund (ESF) funded projects. These programmes are funded exclusively to assist County Durham residents into education, employment or training opportunities.

The Progression and Learning Team (including DurhamWorks and Durham County Council's Education Business Partnership Service) is part of Durham County Council's Children and Young People's Services and offers support and opportunities to young people to help them secure education, employment or training.

More information can be found at: www.durhamworks.info

For the purposes of Data Protection, the Data Controller is Durham County Council. To find out more about Durham County Council's Corporate Privacy Statement, please visit <http://www.durham.gov.uk/dataprivacy>

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2. What type of personal information do we collect and how do we collect it?

The Council may collect and hold the following information for young people aged 13 or older including:

- Name, address, date of birth, address
- Telephone, mobile and or / email contacts
- Parent's names and contact details where provided
- Your post 16 plans for after leaving statutory education including any offers of education, employment or training you may hold.
- Details of your previous or current destinations in relation to learning or work
- Information about your education such as achievement, attendance or whether you receive additional support
- Whether you are in one of the groups who the local authority prioritise for additional support: e.g. young people who are: NEET (not in education

employment or training; looked after, care leavers, young parents, young carers; working with the Youth Offending Service

- Relevant information to support your progression into education, employment or training
- Summaries of discussions or action planning you have agreed with a Durham County Council Adviser/Progression Worker.
- Essential and relevant information relating to your participation on a European Social Funded education/employment/training programme.
- Relevant information to support your eligibility for financial support via a European Social Funded education/employment/training programme.

We may also collect the following special category data:

- Ethnicity
- Special Educational Needs or Disabilities (SEND)

We collect information about you in the following ways:

- Face to face
- By secure email
- By post
- By telephone
- Through contact with key professionals supporting your progression
- Through completion of relevant European Social Fund (ESF) participant documentation
- School Census

3. What is our lawful basis to obtain and use your personal information?

To enable us to provide services to you it is necessary for us to use your personal information to help assess your needs and identify the most appropriate services available. To do so we will use the following legal basis for sharing your information:

- Processing is necessary for the performance of a task carried out in the exercise of official authority vested in the controller
- Processing is necessary for compliance with a legal obligation to which the controller is subject
- Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract
- In some cases we may seek your consent e.g. to share destination information with schools

We collect and hold the information under a duty placed upon local authorities to support the participation of young people in education employment or training by sections 18 and 68(4) of the **Education and Skills Act 2008**.

In order to conduct monitoring and evaluation of ESF funded programmes, individual participant data is required. There is a **legal basis** for collecting and processing personal data and sharing it with the Managing Authority for the purposes of monitoring and evaluation (Article 56 of the CPR and Articles 5 and 19 and

Annexes I and II of the ESF Regulations). Therefore, participant consent to collect participant data and to be re-contacted for monitoring and evaluation purposes is not required. As such, participant data, including contact details should be collected and stored for all participants in order to meet monitoring and evaluation requirements. This includes all ESF and 'match' funded participants, and participants on YEI provision

For special category data which is more sensitive information such as ethnicity, we rely on the following:

- processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject

4. What is your personal information used for?

Processing is necessary for the provision of services in order to:

- Understand and meet your needs for advice and guidance to support your progression to education, employment or training
- Make appropriate referrals to learning providers who offer relevant opportunities and to assist you in making plans for your future
- Ethnicity information is used for equal opportunities monitoring
- Report statistical data to the Department for Education on participation of 16 and 17 year olds.
- Report statistical data to the Department for Work and Pensions on participants of Durham County Council's ESF programmes including DurhamWorks.

5. Will your personal information be shared?

Your personal information may be shared with:

- Your school, college or learning provider to assist them in understanding your needs and providing support to you
- Local authority partners who may work with you to look for and take up appropriate learning and employment opportunities
- Other partner services that may be able to support your progression
- Other partner organisations we contract or work with for the collection of learner destination data and evaluation of services.
- Share summarised destination information with your statutory school, to support their understanding of the destinations of their students alongside to evaluate the effectiveness of their Careers Education programme.
- Organisations contracted to process DurhamWorks grants on Durham County Council's behalf
- Organisations who are involved in the auditing of information records relating to Youth Employment Initiative (YEI)/ESF funding.

5.1 Sharing Your Personal Information if you are a ESF Participant

In addition to section 5 (above), information (including contact details) for participants of European Social Funded Programmes (ESF) will be shared with the Department for Work & Pensions (DWP) and used to evaluate this project, report progress and to report to European Social Fund as well as for monitoring purposes. All sharing is in line with European Commission regulatory requirements.

Your information will also be shared with research organisations working on behalf of the Department for Work & Pensions who may contact you to discuss your involvement in the project for research purposes. Participation in research is voluntary and you will be asked to consent before taking part in any research activity you may be contacted about. The DWP may also link your personal details to official administrative records in order to monitor your employment status before your ESF support began and 6 to 12 months after you left.

This information may also be shared with research organisations working on behalf of the DWP however individuals will **not** be identifiable and you will not be contacted about this research.

Data will **not** be used or shared for any commercial or marketing purposes.

At all times your information will be kept securely, and nobody will have access to it that shouldn't.

6. How do we keep your information secure?

The security of your personal information is important to us. The records we keep about you are secure and are confidential within the Council. The Council have a range of procedures, policies and systems to ensure that access to your records are controlled appropriately.

Anyone who receives information from us is also under a legal duty to only use the information for the purposes agreed and keep the information secure and confidential.

7. How long will we keep your personal information?

After we deliver a service to you, we have to keep your information as a business record of what was delivered. The type of service you receive will determine how long we have to keep your information. Our corporate retention guidelines ([hyperlink](#)) show how long we keep information for different services. Records about young people's employment, training or education will be held as follows:

Type of Information	Retention Period
Records about young people's employment, training or education	Retention will be the later of: 20 th birthday plus 10 years or if on Durham Works or other ESF funded programmes, 10 years after the last payment on the project or if on an EHCP 10 years after their 25 th birthday.

8. Personal information processed outside of the European Union (EU)

We do not process your personal data outside of the EU

9. Marketing

At no time will your information be used or passed to others for marketing or sales purposes, or for any commercial use without your express consent.

10. What are your information rights?

Your Information Rights are set out in the law. Subject to some legal exceptions, you have the right to:

- request a copy of the personal information the council holds about you
- have any inaccuracies corrected;
- have your personal data erased;
- place a restriction on our processing of your data;
- object to processing;
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To exercise your rights, you can apply on line or download an application form from the [DCC website](#) or you can contact the data protection team at inforights@durham.gov.uk

To learn more about these rights please see the [ICO website](#).

If you are an ESF participant and do not wish your personal data to be used for ESF evaluation purposes please contact ESF.EVALUATIONS@DWP.GOV.UK and your data held for these purposes will be deleted and you won't be contacted about participating in research.

Information on DWP's Personal Information Charter can be found using the following link: <https://www.gov.uk/government/organisations/department-for-work-pensions/about/personal-information-charter>

11. Further Information

Our Data Protection Officer (DPO) provides help and guidance to make sure we apply the best standards to protecting your personal information. If something goes wrong with your personal information, or you have questions about how we process your data, please contact our Data Protection Officer at DPO@durham.gov.uk or write to:

DPO
Floor 4 Room 143-148,
Durham County Council
County Hall,
Durham County Council
DH1 5UF

If we have not been able to deal with your query, you can also contact the
Information Commissioner's Office:

Information Commissioner's Office
Wycliffe House
Water Lane Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113 (local rate) or 01625 545 745