

READING BOROUGH COUNCIL

Guide to Creating Data Privacy Notices (DPNs) Under GDPR

The GDPR sets out the information that you should supply and when individuals should be informed.

The information you supply about the processing of personal data must be:

- concise, transparent, intelligible and easily accessible
- written in clear and plain language, particularly if addressed to a child
- free of charge

<b>The identity and contact details of the company</b> Reading Borough Council, Directorate of Children, Education and Early Help Services- Children's Centres
<b>Contact details of the Data Protection Officer</b> Ricky.gill@reading.gov.uk
<b>What Personal Data is held?</b> <b>Child</b> <ul style="list-style-type: none"><li>• First name of child</li><li>• Surname of child</li><li>• Date of birth</li><li>• Gender</li><li>• Languages spoken</li><li>• Ethnicity</li><li>• Any additional need information</li><li>• Medical</li><li>• Educational outcomes</li><li>• Young carer details</li></ul> <b>Parents/carers/legal guardian</b> <ul style="list-style-type: none"><li>• First name</li><li>• Surname</li><li>• Address details</li><li>• Contact telephone numbers</li><li>• Email address</li><li>• Ethnicity</li><li>• Employment</li><li>• Qualifications</li><li>• Medical/Additional needs</li><li>• Sibling(s)/step/legal first name</li><li>• Sibling(s)/step/legal surname</li><li>• Sibling(s) date of birth, gender, address, contact telephone number, email, languages spoken, ethnicity</li><li>• Any additional need information</li><li>• Medical</li></ul>

**How will the data be stored?**  
 In secure electronic management database systems, spreadsheets stored on internal secure folders and accessed on secure encrypted laptops. All data is stored on secure servers.

**What is the legal basis for the collection, use and storage of the data?**  
 Consent from families

Early Help Services collect and provide information as required by the DfE, Ofsted inspection requirements and Troubled families payment by results framework

Data collected is used to:

- enable us to carry out specific functions for which we are responsible
- derive statistics to inform decisions such as the funding, assess performance, set targets and improve services

**Give details of how long the data will be stored and criteria used to determine this?**

Nature of Record	Retention Period	Action at the End of that Period	Legislation	Reason eg, statutory requirement, best practice, audit, operational need
<b>Support for Children and Young People</b>				
All records relating to the management of chaperones	Retain from last contact with the chaperone for 6 years	Destroy	Limitation Act 1980 S.2	Statutory Requirement
All records relating to clients of family centres/early help services	Retain from last contact for 6 years	Destroy	Limitation Act 1980 S.2	Statutory Requirement
All records relating to the financial management of family centres	Retain from year records created for 6 years.	Destroy		Statutory Requirement
Allegation of a child protection nature against a member of staff working in a centre, including where the allegation is unfounded	Retain from date of the allegation for 10 years	Destroy		Statutory Requirement

**Who will it be shared with and for what purpose?**  
 Department for Education  
 National Health Service  
 Ofsted  
 Schools  
 Courts  
 Police  
 Local Safeguarding Children Board  
 Children’s Services Improvement Board  
 Other partner agencies if/when required

Information will be shared due to statutory requirements, legal obligations, progress monitoring and tracking to determine service delivery  
 Information will be shared internally if required for better performance and efficiency of Council services and the welfare of clients

**How can the service user get access to it?**

Subject Access Request can be made by following the link:  
[www.reading.gov.uk/dataprotection](http://www.reading.gov.uk/dataprotection)

**State whether any data is to be transferred outside the EU?**  
 No

**Is processing based on consent?**

Where consent is required this will be sought.  
Where application the right to withdraw consent at any time will be applied except in the case of statutory requirements.

You have a 'right to be forgotten' so you can ask for your personal information to be deleted where:

- It is no longer needed for the reason why it was collected in the first place
- You have removed your consent for us to use your information and we do not have to keep your information for legal reasons

If we have shared your personal information with others, we will do what we can to make sure those using your personal information comply with your request for erasure.

We may not be able to delete your personal data if it is needed for legal reasons, for reasons of public health, public interest or for medical purposes.

**What other rights does the service user have that we have to make known to them?**

The right to have their data corrected, the right to have their data deleted and their right to put a complaint to the Information Commissioner's Office (ICO), alongside legal requirements

**State if there will be any automated decision making**

No

## Consent

The GDPR sets out a higher standard for consent than the Data Protection Act. The GDPR defines consent as *'any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.'*

Consent has to be a positive indication of agreement to personal data being processed. It cannot be inferred from silence, pre-ticked boxes or inactivity.

Opt out consent is no longer acceptable under the GDPR. The GDPR is clear that controllers have to demonstrate that consent was given, so a review is best practice in order to ensure there is an effective audit trail.