

Data Privacy Notice - School Exclusion Reviews

General Data Protection Regulation

The General Data Protection Regulation (GDPR) is a new law in force from May 2018. Reading Borough Council is required to inform you of the personal data it holds, its reason for holding this data, the length of time it will store this data, and who the data is shared with. Personal data is any data which enables a person to be identified.

Personal Data Held

When an exclusion review has been requested, we provide a form to be completed and will ask for the following personal data from the person requesting the review for the purpose of arranging, hearing and determining a review:

- The person requesting the review - name, address, phone number and email address
- Child who the review is for - name, date of birth, address, school year group, school excluded from.

Examples of other personal data that may be included on a form, or submitted in another format, by the person requesting a review and will be held by the Council for the purpose of hearing and determining an exclusion review are as follows:

- Gender
- Family circumstances
- Medical conditions / health
- Disabilities
- Religion
- Race
- Court agreements.

The school the child has been excluded from may submit personal data relating to the child or family members, as part of the information it provides for the review.

All correspondence relating to an exclusion review, the notes taken by the Clerk at the review hearing and the decision letter written by the Clerk on behalf of the Review Panel will also contain personal data relevant to exclusion reviews, as referred to above.

We also require a form to be completed by the independent panel members who hear and determine school exclusion reviews and will ask for the following personal data so we can contact panel members about exclusion reviews, send them the papers, ascertain which category of panel member they should be placed in and establish whether there are any circumstances which could impact on their impartiality in any way:

- Name, address, phone number, email address, current employment (if applicable), previous employment, voluntary experience, schools relatives attend or teach at (if applicable) and any other personal data which could impact on impartiality.

We also require the following personal data from Special Educational Needs (SEN) experts, who attend exclusion reviews if requested to give independent advice to review panels, so we can contact them

about exclusion reviews, send them the papers, establish whether they are qualified for the role and whether there are any circumstances which could impact on their impartiality in any way;

- Name, address, phone number, email address, current employment (if applicable), previous employment, voluntary experience, schools relatives attend or teach at (if applicable) and any other personal data which could impact on impartiality.

Reason for holding Personal Data

This personal data can lawfully be held by Reading Borough Council so it can carry out its function of arranging for school exclusion reviews to be heard and determined in accordance with The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.

Storage of Personal Data

Reading Borough Council will keep this data until the child who the review is for reaches the age of 25 in accordance with retention guidance based on the Limitations Act 1980. The data is held on secure encrypted laptops and systems and hard copies of review data will be held in a secure area at the Council's Civic Offices or sent for archiving with a destroy date where the data will be kept securely and destroyed on the relevant date.

Reading Borough Council will keep all data relating to an independent exclusion review panel member while they continue to serve in this role. Once they cease to be a panel member their form will be kept for a further period of one year as it may be necessary to contact them about any complaints submitted for reviews they have determined previously. This data is held on secure encrypted laptops and systems. Their name and address may remain on review panel correspondence until the data relating to the review is deleted. This data is held on secure encrypted laptops and systems and hard copies of review data are held in a secure area at the Council's Civic Offices or sent for archiving with a destroy date where the data will be kept securely and destroyed on the relevant date.

Reading Borough Council will keep all personal data relating to an SEN expert while they continue to serve in this role. Once they cease to be an SEN expert their details will be kept for a further period of one year as it may be necessary to contact them about any complaints submitted for reviews they have previously attended in the role of an SEN expert. This data is held on secure encrypted laptops and systems. Their name and/or address may remain on review panel correspondence and the clerk's review notes until the data relating to the review is deleted. This data is held on secure encrypted laptops and systems and hard copies of review data are held in a secure area at the Council's Civic Offices or sent for archiving with a destroy date where the data will be kept securely and destroyed on the relevant date.

Sharing of Personal Data

Some personal data will be shared as follows:

Reading Borough Council's Education Department / Home Local Authority

- Details of the exclusion review will be shared with Reading Borough Council's Virtual Head for Children Missing Out on Education, Reading Borough Council's Children's Performance and Data Team, and the 'home' local authority for the child who has been permanently excluded (if it is not Reading Borough Council). The DfE statutory guidance on exclusions requires the local authority to be notified of a permanent exclusion by the head teacher and the local authority has a responsibility to arrange suitable full time education for the child and must be informed if a Review Panel upholds an exclusion decision

School child has been permanently excluded from

- The school that the child has been permanently excluded from will be sent a copy of the form, and any other supporting information submitted by the person requesting the review. This is because the school will be required to submit information in response, to be circulated in advance of the review hearing, and the school's head teacher (who made the decision to exclude permanently) and a school governor (who considered the permanent exclusion) will be required to attend the exclusion review to present their cases

SEN Expert

- The DfE guidance on exclusions states that parents have a right to request the attendance of an SEN expert at a review hearing, whose role is to provide impartial specialist advice to the Review Panel on how Special Educational needs might be relevant to the exclusion. If an SEN expert is to attend an exclusion review, all information submitted by the person requesting the review and the school that the child has been permanently excluded from will be shared with the SEN expert.

Exclusion Review Panel Members

- Independent Panel Members appointed by Reading Borough Council who will be hearing the review are sent a copy of the form and any other information submitted by the person who has requested the review, and the information submitted from the school the child has been excluded from.
- This is because an independent panel must determine school exclusion reviews and must take into account all the information submitted for a review in order to make a decision.
- Review Panel Members are provided with hard copies of review 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 review data to the review Clerk for confidential shredding at the end of a review hearing.

The person who has requested the review will also receive a copy of all the information submitted by them and the school.

Contacts

Please contact Sarah Wilson or Amy Bryan, Exclusion Review Administrators / Clerks, if you have any queries regarding the above:

- Sarah Wilson (sarah.wilson@reading.gov.uk / 0118 9372532)
- Amy Bryan (amy.bryan@reading.gov.uk / 0118 9372368)