

Who we are

Local Authorities (LA) have a legal obligation (s437 Education Act 1996) to ensure that all children who are of statutory school age who reside in the area are in receipt of a 'suitable education'.

The LA has in place an Elective Home Education Procedure, with due regard to legislation and guidance in order that it can meet its statutory duty. This duty applies in relation to children of compulsory school age who are not on a school roll and when the LA does not know if a child is receiving a suitable education otherwise than being at school. The parents/carers of all children identified as such will receive a letter from the LA, outlining the LAs procedures in relation to Elective Home Education (EHE).

The Attendance Team provide advice and guidance to families who are home educating their children, to ensure an appropriate standard of education is being provided, and support reintegration into school where this is requested by parents. By registering with us we can advise home educating parents of up and coming opportunities and events as well as offer advice and support on preparing their plan to home educate and beyond.

We will only use information collected lawfully in accordance with the General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018. We will not use any information we hold about you for any purpose other than that for which it was collected unless we have obtained your consent beforehand.

How we collect your information

The initial EHE notification may be a formal written notification either from the parent directly or from the current/ previous school. The LA may be notified via other internal or external means that a child is not on roll of a school for example from a previous LA in which you have resided. On receipt of notification the parent is contacted by letter, where a child has not been enrolled in a Sunderland School previously we seek permission to register the child on our central MIS database, if a parent chooses not agree to this the child name is only placed on the on our internal list, this allows us to meet our statutory duty with regard to identifying children of compulsory school age and ensuring they are receiving a suitable education.

We collect the following personal information when you provide it to us:

- personal details (such as name, gender, age, date of birth, address, contact details, language)
- special category characteristics (such as special educational needs)
- educational history (such as the school previously attended and attendance, attainment)
- other professional involvement (such as Early Help, Children's Social Care, SEN)
- EHE History (communication with families, visit reports and evidence of suitable education)

How do we use this information?

We use your personal information to:

- maintain a record of children in Sunderland who are known to be home educated
- provide advice and guidance to home educating families
- inform families how to access services and facilities from other agencies that would generally be delivered via school
- advise families who request support with returning children to school or identifying a school place
- make arrangements to establish the identities of children who are not registered at a school and are not receiving a suitable education otherwise

We will normally communicate with you in ways nominated by and provided by you unless there are exceptional reasons as to why we cannot comply with your preferred method of communication. We will not use your contact details for any purpose other than for the purpose of EHE unless you give us permission to do so. You must notify us immediately if there are any changes in your circumstances and personal details so we can maintain an accurate and up to date record of your information.

Who are we likely to share this information with?

To deliver services to you, it may be necessary for us to share your personal data with the following organisations/partners:

- Other departments within this local authority (and Together for Children) as deemed necessary for safeguarding purposes and to support your child's education.
- In-Year Fair Access (FAP) panels, when a school a place is required at the request of the parent or when a suitable education is not being provided and a school needs to be identified for the purpose of a School Attendance Order
- Schools
- The local authority in which you reside
- Central Government Bodies as required

We do not share information about you with anyone without your consent unless the law requires or allows us to do so. In all cases where we must pass on information, we will only share the minimum amount of information required and will use the most secure method to transfer; wherever possible data will be pseudonymised (i.e. does not identify you personally) or encrypted.

The lawful basis on which we use this information

We need to collect and use your personal data to comply with the relevant legislation.

Our lawful basis for processing is therefore as we have a statutory obligation as defined by Article 6(1)(c) of the General Data Protection Regulation (GDPR). Some of the information we need to hold is classed as special category information – primarily ethnicity and any health conditions. Our lawful basis for processing this data is provided by Article 9(2)(h) of GDPR – to support the provision of health or social care.

How do we keep this information secure?

We have appropriate security measures in place to prevent personal information from being or accessed in an unauthorised way. 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.

How long do we keep this information?

We will keep your details for the duration of your child's statutory schooling; or until you request that you no longer wish to remain registered with the LA as EHE.

Requesting access to your personal data

You can find out if we hold any personal information about you by making a 'subject access request' under the General Data Protection Regulation.

In addition, you have the right to request the rectification or erasure of your personal data, and to object to, or request restriction of, processing your data.

If you have any concern about the way, we are collecting or using your personal information, we request that you raise your concern with us in the first instance.

Alternatively, you can contact the Information Commissioner's Office at

<https://ico.org.uk/concerns/>

Further information

<https://www.sunderland.gov.uk/data-protection>

Contact Us

Data Protection Officer

Sunderland City Council

Civic Centre

Sunderland

SR2 7DN

Email: Data.Protection@sunderland.gov.uk