

Who we are

Sunderland City Council needs to collect information to regulate and enforce the statutory legislation, bye laws and regulations that govern the support, safeguarding, and overseeing of child employment and children in entertainment processes.

The Attendance Team operates the statutory processes that govern the:

- Issuing of child employment permits to allow children to take part in employment
- Issuing licences to allow children to take part in entertainment
- Body of Persons Approvals (BOPAs) and exemptions for Children in Entertainment
- Approving chaperones for children in entertainment
- Investigation of Child Employment/Entertainment enforcement files (prosecuted for failure to comply with their legal responsibilities)
- Inspections of places of employment and entertainment
- Notices served for breach of child performance regulations

Personal information we collect and use

We collect the following personal information in the course of providing individual or body of persons entertainment or employment licences, or work permits.

For employment permits and entertainment licences:

- Business activities/Trading name and address
- Name of Manager/Agent
- Name of Owner and business address
- Position in the business
- Exact nature of duties/hours worked
- Signed declaration from employer and child's parent/guardian
- Personal information of child and parent(s)/carer (such as name, address, contact details, date of birth and gender)
- Information on school attended/educational provision
- Special category information (such as the child's fitness, health, and medical conditions) required to make an informed decision about licences for performances

- Reason why you require an entertainment or employment license, and when and where the entertainment or employment will be taking place
- Details of the organisations for whom you will be performing or working
- Visual image required for performance licences

In the course of providing chaperone approvals, we collect the following personal information when you provide it to us:

- Personal information (such as name, address (including previous addresses if less than 5 years), contact details, date of birth and gender)
- Names and contact details of personal/employee references
- Experience and qualifications
- Proof of ID to support the Disclosure and Barring Service (DBS) process
- Reason why you require a chaperone approval, and when and where you will be chaperoning
- Employment details (current/previous employment)
- Visual image for ID badges
- Physical or mental health details (including health/social care records)
- Offences (including alleged offences), criminal proceedings, outcomes and services

We also obtain personal information from other sources as follows:

- DBS checks for chaperone approvals
- Personal references for chaperone licences

How we use your personal information

We will only use information collected lawfully in accordance with the General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018.

We use your personal information to:

- process licence applications and assess suitability to become licenced
- issue licences or work permits
- issue chaperone approvals
- provide training
- conduct inspections as part of our statutory duty to Inspect

- monitor the compliance of organisations working with children for entertainment or employment purposes, to safeguard children

How long your personal data will be kept

After we deliver a service to you, we must keep your information as a business record of what was delivered. The type of service you receive will determine how long we keep your information.

Child employment permit and child performance information is retained for 3 years after the end of the calendar year in which the application was made. Chaperone approval information is retained for 3 years after the end of the calendar year in which the approval expires.

Reasons we can collect and use your personal information

We collect and use your personal information to comply with our legal obligations. These legal bases are underpinned by acts of legislation that dictate what actions can and should be taken by local authorities, including: The Children and Young Persons Act 1933 and 1963, The Employment of Women, Young Persons and Children Act 1920, The Children (Performances and Activities Regulations (England)) 2014, the City of Sunderland Byelaws on the Employment of Children 2002, The Management of Health and Safety At Work 1992, The Children Act 1989 and The Education Act 1996.

Who we share your personal information with

- Chaperone information such as name, chaperone number and expiry date and Local Authority to which they are registered is shared with production companies and other Local Authorities
- Children's Performance Licence information (including name, DOB, parents' names and name of school and photo of child) is sent to the applicant of the licence, parent, school, and the Local Authority where the performance is taking place
- We only share children's information (name, DOB, postcode, LA where the child resides and district) as part of BOPAs

- Work permits are sent to the employer, parent, and school only. This includes name, DOB, home address, school, and year group
- Inspection reports are shared with the Local Authority where the child/children reside and the applicant responsible for the production only. Under a Performance Licence this will include name of child and DOB and Local Authority that issued the Performance Licence and details of chaperones (their name, Issuing authority and expiry date). Under a BOPA we do not share details of children just chaperones unless there are children who reside outside of Sunderland performing and their Local Authority request the information.

We will share personal information with law enforcement or other authorities if required to do so by applicable law.

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 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.

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