



## Privacy Notice

### Children Looked After/Virtual School - Looked After Call Service

When processing personal data, the council is required under Articles 13 and 14 of the UK General Data Protection Regulation (UKGDPR) to provide the information contained in this document.

#### Data Controller

<b>Name</b>	Cumbria County Council
<b>Address</b>	Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD
<b>Registration Number</b>	Z5623112

Further details can be found in Information Commissioner's Register of Fee Payers at: <https://ico.org.uk/about-the-ico/what-we-do/register-of-fee-payers/>

#### Data Processor

<b>Name</b>	IRIS Software Group Limited/Looked After Call
<b>Address</b>	Heathrow Approach, 470 London Road, Slough, SL3 8QY
<b>Registration Number</b>	Z3435366

#### Data Protection Officer

The council's Data Protection Officer is Claire Owen. Contact the Data Protection Officer by:

Email: [dataprotection@cumbria.gov.uk](mailto:dataprotection@cumbria.gov.uk)  
Post: Cumbria County Council, Legal and Democratic Services, 1<sup>st</sup> Floor, Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD  
Online: [Contact Form](#)

## Purpose

Cumbria County Council as a corporate parent has commissioned IRIS Software Group Limited/Looked After Call to collect attendance and attainment data on Children Looked After on their behalf. This is reported to the Virtual School Governing Body.

The collection and quality of this data is scrutinised by Ofsted and can be requested for audit purposes at any time. They will collect and report on:

- school attendance
- attainment
- exclusions

## Data Collection

Depending on operational preference, Looked After Call will collect data from schools in three ways:

- automatically from school systems
- via a secure portal
- via a daily call

A Looked After Call representative will work with schools to identify the most suitable method of securely collecting the required data.

## Data Types

The following data is required to meet legal obligations:

- Personal
- Special Category
- Anonymised

Students/Pupils	Parents/Carers	Events	Assessments
<ul style="list-style-type: none"> <li>• Date of Birth</li> <li>• FSM Entitlement</li> <li>• Full Name</li> <li>• Personal Education Plans</li> <li>• Pupil Premium</li> <li>• Registration Data</li> <li>• Registration Group</li> <li>• School History</li> <li>• Special Education Needs</li> <li>• Unique Pupil Number</li> </ul>	<ul style="list-style-type: none"> <li>• Addresses</li> <li>• Agent Details</li> <li>• Agent Emails</li> <li>• Agent Phone Numbers</li> <li>• Email Addresses</li> <li>• Full Name</li> <li>• Phone Numbers</li> <li>• Relationship</li> </ul>	<ul style="list-style-type: none"> <li>• Achievements</li> <li>• Attendance Marks</li> <li>• Behaviour Incidents</li> <li>• Detentions</li> <li>• Exclusion</li> </ul>	<ul style="list-style-type: none"> <li>• Assessment Results</li> <li>• Exams Results</li> <li>• KPIs</li> </ul>

<ul style="list-style-type: none"> <li>• Welfare Data</li> <li>• Year and House Group</li> </ul>			
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## Legal Basis

The legal basis for data processing, as required by UKGDPR Article 6, is:

- **UKGDPR Article 6(1) (c) Legal Obligation**

Where the council is relying on UKGDPR Article 6(1)(c) all Relevant Legislation is listed below:

- Promoting the Education of Looked After Children and Previously Looked After Children (2018)" in relation to the care of Children Looked After (CLA).
- The Education Regulations 2006
- Children Act 1989
- Children and Social Work Act 2017

## Automated Decision-Making/Profiling

Data is not used for automated decision-making or profiling purposes.

## Data Transfers

Data is not transferred to a third country or international organisation.

## Redaction

Before making forms and documents available online, the following data will be redacted:

- contact details e.g. telephone numbers, email addresses
- signatures
- personal or special category data
- information agreed to be confidential or commercially sensitive

Occasionally it may be considered necessary, justified, and lawful to disclose data that appears in the list above. In these circumstances the council will make all reasonable efforts to contact individuals if this processing is going to have an impact on rights or privacy.

## Data Sharing

Data may be shared with the following organisations:

- Ofsted

While responding to enquiries or complaints it may be necessary to share personal data with other parts of the council or other public bodies or organisations. The council will make all reasonable efforts to contact individuals if this processing is going to have an impact on rights or privacy.

## Data Security and Retention

All data will be kept safe and secure whether it is written or on a computer system. We will treat any personal information confidentially and will comply with the Data Protection Act 2018. This means that if we keep any personal data we must:

- tell individuals what information will be collected
- only use the information for the reason we have stated
- not ask for more information than we need
- let individuals have copies of any information we have collected
- keep the information safe, secure, and confidential
- delete information in accordance with council policy

Information will be kept on a secure council system and can only be accessed by authorised employees within the Virtual School Team.

Cumbria County Council will only store information for as long as is legally required in accordance with the council's Retention and Disposal or in situations where there is no legal retention period established best practice will be followed.

## Data Subject Access Requests (DSARs)

The UKGDPR provides the right to access information the council, as a public authority holds about individuals. Upon receipt of a valid request the council will:

- provide a response within one month
- confirm if requests may be subject to an extension
- make reasonable efforts to comply with the format of requests
- inform individuals if requests are going to be refused or a charge is payable.

Data Subject Access Requests can be submitted to:

Email: [information.governance@cumbria.gov.uk](mailto:information.governance@cumbria.gov.uk)  
Post: Cumbria County Council, Information Governance Team  
Parkhouse, Baron Way, Carlisle CA6 4SJ  
Telephone: (01228) 221234  
Online: [Contact Form](#)

## Other Rights

In addition to the right of access, the UKGDPR also gives provides the following:

- the right to be informed via the council's Privacy Notice.
- the right to withdraw consent. If we are relying on consent to process data, then this can be removed at any point.

- the right of rectification, we must correct inaccurate or incomplete data within one month.
- the right to erasure. The right to have personal data erased and to prevent processing unless we have a legal obligation to process it.
- the right to restrict processing. We can retain just enough information to ensure that the restriction is respected in future.
- the right to data portability. We can provide personal data in a structured, commonly used, machine readable form when asked.
- the right to object. To personal data being used for profiling, direct marketing, or research purposes.
- rights in relation to automated decision making and profiling, to reduce the risk that a potentially damaging decision is taken without human intervention.

Where our processing of personal data is based on consent, individuals have the right to withdraw this consent at any time. If consent is withdrawn, we will stop processing personal data for that purpose, unless there is another lawful basis we can rely on. Withdrawal of consent won't affect any data processing up to that point.

Where our processing of personal data is necessary for our legitimate interests, individuals can object to this processing at any time. Individuals choosing to do this will need to show either a compelling reason why our processing should continue, which overrides these interests, rights and freedoms or that the processing is necessary for us to establish, exercise or defend a legal claim.

Unless otherwise stated above any of these rights can be exercised by contacting:

Email: [dataprotection@cumbria.gov.uk](mailto:dataprotection@cumbria.gov.uk)  
Post: Cumbria County Council, Legal and Democratic Services, 1<sup>st</sup> Floor, Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD  
Online: [Contact Form](#)

## Identity Verification

When exercising the rights mentioned above please be aware that under UKGDPR Article 12(6) additional information can be requested to verify the identity of data subjects. Please note that:

- additional documentation is only required when the council cannot verify identity using internal council systems that relate to the service data is requested about,
- the council will request this documentation prior to processing requests,
- the statutory deadline for responding to requests will start when the required documentation has been provided,
- failure to provide additional documentation may lead to the council rejecting requests.

## Complaints

Complaints about the information contained in this Privacy Notice, can be reported to: Jane Fallon, Head Teacher - Virtual School for CLA: [jane.fallon@cumbria.gov.uk](mailto:jane.fallon@cumbria.gov.uk).

Concerns about the way the council has processed personal data, can be reported to the council's Data Protection Officer via:

Email: [dataprotection@cumbria.gov.uk](mailto:dataprotection@cumbria.gov.uk)

Post: Cumbria County Council, Legal and Democratic Services, 1<sup>st</sup> Floor,  
Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD

Online: [Contact Form](#)

All data subjects have the right to report concerns about the council's processing of personal data to the Information Commissioner's Office (ICO): <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>