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Service Area:	Learning, Education and Inclusion
Work Area:	Statutory Assessment & Additional Support Team
Contact Details:	Irene Yendle, Statutory Team Lead 01443 866635 / Yendli@caerphilly.gov.uk
Privacy Notice Name:	Additional Learning Needs
Description of Privacy Notice	This Privacy Notice will explain how Caerphilly County Borough Council will use information about you (learner) if the Local Authority or School/Educational Setting receive a request for a statutory assessment to be completed on you (learner) under the Additional Learning Needs (ALN) Act 2018 and / or your school / education setting requests additional support funding because you require extra help in order to make progress.

How we will use your information

Source and type of information being processed

Categories / Source of personal data obtained

You or your Parents/Carers, Schools, Children Services and Health Professionals can make a request for a statutory assessment to be completed on you.

Schools / educational settings can request additional support funding to support the learner where a learner requires extra help in order to make progress.

In order for the Local Authority to process such requests, the person / organisation making the referral may provide the following information to the Local Authority.

- Name and Contact details;
- Medical records;
- Educational Reports;
- Details of family circumstances (Children Services)
- School attendance / Exclusion date / Attainment data

If you are unsure who has made the request please contact the Local Authority on the details above for further information.

Purpose and legal basis for using your information

Purpose of processing

- The needs of most learners can be met by their pre-school setting, school or educational setting, sometimes with the help of outside specialists. Schools receive funding to support children and young people with additional learning needs by giving them extra or specific help. However, in some cases the Local Authority will be asked to allocate additional support. Both the Local Authority and educational settings may be asked to complete a statutory assessment of a learner's additional learning needs under the ALN Act 2018
- The Local Authority considers all requests for additional support / statutory assessments received from the learner, schools, parents and other agencies.
- Requests for additional support are discussed at the Local Authority's ALN Panel which is attended by Officers from Local Authority Education Services and Head Teachers from within the Local Authority.
- A Statutory Assessment is a very detailed assessment of a learner completed by the Local Authority or educational setting. The assessment includes information from parents/carers, the learner, School, Educational Psychologist, Health professionals and if appropriate, Children Services. The assessment finds out if the learner requires an Individual Development Plan (IDP)
- The IDP is a legal document which describes what help a learner requires to meet their additional learning needs.
- The process must be completed within the timeframe laid out within the ALN Act and Code (usually 35 school days for Schools and 12 weeks for the Local Authority) and involves the Local Authority and/or the educational setting considering the evidence provided by all agencies and making a decision whether the learner meets the criteria to issue an IDP.
- All IDPs are reviewed annually and involve sharing updated information from the learner, parent/carer, Schools/Educational setting, Health, Local Authority Education Services and where necessary Children Services.

Legal basis for processing

There is a public task obligation to process your information detailed below:

ALN Act 2018

ALN Code for Wales 2021

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

1e. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; Data Protection legislation provides extra protection for certain classes of information called 'special personal data'. If any

information falls within the definition of special personal data then an additional condition from Article 9 of the Regulations must be identified, as outlined below:

6 (1) This condition is met if the processing—

(a) is necessary for a purpose listed in sub-paragraph (2), and

(b) is necessary for reasons of substantial public interest.

(2) Those purposes are—

(a) the exercise of a function conferred on a person by an enactment or rule of law;

(b) the exercise of a function of the Crown, a Minister of the Crown or a government department.

Who will have access to your information?

Identity of Data Controller and Data Protection Officer

The Data Controller for your information is Caerphilly County Borough Council. The Data Protection Officer is:

Ms Joanne Jones

Corporate Information Governance Manager / Data Protection Officer

Email: dataprotection@caerphilly.gov.uk

Tel; 01443 864322

Other Data Controllers may also be responsible for your information, depending on the specific circumstances. Please contact the Service Area for further information.

Details of main users of your information

The main user of your information will be the Statutory Assessment & Additional Support Team, Schools and other educational settings

Requests for additional support are discussed at the Local Authority's ALN Panel which is attended by Officers from Local Authority Education Services and Head Teachers from within the Local Authority.

Details of any sharing of your information within Caerphilly County Borough Council

In order to carry out Statutory Assessment / additional support requests the Local Authority will need to work with and request / share information with other service areas within Caerphilly County Borough Council such as the following:

- Children and Young People (The Learner)
- Education Admissions
- Legal Services
- Children Services
- Safeguarding
- Passenger Transport Unit
- Audit /Finance

Details of any sharing of your information with other organisations

In order to carry out Statutory Assessment / additional support requests the Local Authority will need to work with and request / share information with other organisations such as the following:

- Careers Wales
- Health Boards
- Welsh Government
- Education Tribunal for Wales
- SNAP Cymru Parent Partnership Service / other Advocacy Services
- Maintained Schools and other Educational Settings
- Non-maintained Nurseries, Schools and Independent Specialist Settings/Schools /FEIs and Other Local Authorities

Requests for information

All recorded information held by Caerphilly County Borough Council may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Data Protection Act 1998.

If the information you provide is subject to such a request, where possible the Local Authority will consult with you on its release. If you object to the release of your information the Local Authority will withhold your information if the relevant legislation allows.

How long will we retain your information?

Details of retention period

How long the Local Authority retains information is determined through statutory requirements or best practice.

The Local Authority will retain your information for 35 years after the closure of your case.

Your Rights (Inc Complaints Procedure)

Your rights under the Data Protection Act 1998

Data Protection gives data subjects (those who the information is about) a number of rights:

- The right of subject access – Application forms for this process are available on our website: [SAR Form](#)
- The right to be informed
- The right of rectification
- The right to erasure
- The right to restrict processing
- The right to object
- The right to data portability
- Rights in relation to automated decision making and profiling.

Further information on your rights is available from: www.ico.org.uk.

To enact your rights please contact the service area detailed on the top of this form.

Complaints Procedure

If you are unhappy with the way that Caerphilly County Borough Council has handled your request / information, you have the right of complaint. Please contact the Service Area detailed at the top of this document outlining your issues.

If you remain unhappy you also have a right of complaint to the Information Commissioner's Office. Please follow this link for further information on the complaints process.

www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints

Summary Privacy Notice

How we will use your information

Caerphilly County Borough Council will process requests received for a statutory assessment to be completed on you

or

your school / education setting requesting additional support funding in order to carry out an assessment.

This will involve collating /sharing information with other service areas within Caerphilly County Borough Council and other organisations such as relevant schools / educational establishments, Careers Wales, Health Boards, Welsh Government, Education Tribunal for Wales, SNAP Cymru, other Advocacy Services and other Local Authorities. Your information will be retained for 35 years.

You have a number of rights in relation to the information including the right of access to information we hold about you and the right of complaint if you are unhappy with the way your information is being processed.

For further information on how we process your information and your rights please click the following link:

[{Hyperlink to Full Privacy Notice on our website}](#)