



## **Information Sharing Protocol**

Between

**Southampton City Council**

And

*FAIRISLE JUNIOR SCHOOL*

**Fairisle Junior School**



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## 1. Purpose

- 1.1. In order to further our shared goals the Department of Education (DfE) requires evidence that Schools and Academies give consent to share data with Southampton City Council (the local authority, hereafter referred to as 'the LA') in order to release data to the LA at the earliest opportunity.
- 1.2. This protocol provides that evidence and will set out the roles and responsibilities of the LA and the School/Academy in regards to sharing data relating to individual children.
- 1.3. The purpose of this Information Sharing Protocol is to enhance the ability of the School/Academy and the LA to enable children through the exchange and use of information to lead healthy, safe, fulfilling and successful lives.
- 1.4. Improved outcomes for children can only be delivered and sustained when key people and bodies work together to design and deliver more integrated services around the needs of children and young people. This is exemplified in policy and guidance including the DfE Information sharing advice for safeguarding practitioners 2015, the DfE Governance Handbook 2017 and Keeping Children safe in education 2016.
- 1.5. The main aims and benefits of the protocol will be:
  - Maintaining the quality of the School/Academy's data
  - Reducing the administrative burden on the School/Academy - data will be collected but used many times for the benefit of children
  - Providing better targeted services to children and others in their household, including in relation to work with 'troubled families' 'Families Matter', which is Southampton's response to the Government's troubled Families Agenda
  - Maintaining demographically relevant benchmark information
  - Ensuring the safety and wellbeing of individual children.
  - Providing an automated process to enable schools to meet their statutory children missing education responsibilities.
- 1.6. The agreement also details the support which the LA will provide to the School/Academy for:
  - B2B (Business to Business) Data Transfer
  - Youth Support Data.
- 1.7. This protocol takes regard of the following statutory guidance:
  - The Data Protection Act 1998
  - The General Data Protection Regulation (EU) 2016/679
  - The Children Act 1989
    - Particularly as amended by the Part 5, Section 99 of the Children and Families Act 2014

- The Children Act 2004
  - Section 10 Co-operation to Improve Well-being
  - Section 11 Arrangements to Safeguard and Promote Welfare
  - Section 12 Information Databases
- The Education and Skills Act 2008
  - Section 72 Education Institutions: Duty to Provide Information
- Working Together to Safeguard Children (HMG 2013)
  - Statutory Guidance on inter-agency working to safeguard and promote the welfare of children
  - The Education Act 2002 Section 87 and Section 175
- The Education Act 2011
  - Statutory Guidance for school leaders, school staff, governing bodies and local authorities states that schools should work with local authorities to ensure they know what services are available, and how young people can be referred to support so that they are enabled to participate in continued learning and work
- Data Sharing Code of Practice (ICO 2012)
- The Children and Families Act 2014
  - Including the SEND Code of Practice 2014: Use of Data and Record Keeping.
- Human Rights Act 1998 – schedule 1, Article 8
- Working together to Safeguard Children – March 2015
- Keeping Children Safe in Education 2016
- Section 115 of the Crime and Disorder Act
- Schools Admissions Code 2014
- School Admission Appeals code 2012
- Education ( Pupil registration) (Amendment) (England) Regulations 2016

**1.8.** In addition there may be data collections on a voluntary basis that are intended to give an overview of the education provision within the City. The LA will always consider the administrative burden of such collections before requesting information from Schools/Academies.

## 2. B2B (Business to Business) Data Transfer

- 2.1. B2B is the secure transfer of child level information from the Academies and School's Management Information System to the LA's ONE Central Database System. Information is transferred via a secure internet connection. Data transfer is via a scheduled routine from the School/Academy's MIS system.
- 2.2. Information will be used to inform provision of Children's Services and Learning Support Services to individual children and families to ensure their well-being and safety. It will be used to assist in the identification of children missing education and to help target intervention and support. For a list of child level data items currently exchanged with the LA via B2B please see Appendix A.
- 2.3. Information held in the LA's ONE system may also be shared with other Southampton Children and Young People's Trust Partners such as Solent NHS trust, where to do so meets with statutory guidance and legislation regarding the duty to co-operate to improve well-being of children and the Data Protection principles.
- 2.4. The School/Academy agrees to
  - Transfer scheduled daily updates of core child level personal data via B2B (see Appendix A).
- 2.5. The LA agrees to
  - Provide advice and guidance to establish and support the data transfer process
  - Make the data available to Children's Services professionals via the ONE system to reduce the need for them to contact the School/Academy directly
  - Notify the School/Academy if they become aware of any inaccuracies in the data they receive to ensure that data held by both parties is accurate and up to date.

## 3. Children Missing education

- 3.1. On the 1st of September 2016 the Education (Pupil Registration) (Amendment) (England) Regulations 2016 came into force and supporting statutory Children Missing Education guidance was issued by the Department for Education. The main changes in respect of data sharing were:
  - All schools (including academies and independent schools) must notify their LA when they are about to remove a pupil's name by the LA.
  - When removing a pupil's name, the notification to the LA must include:
    - (a) The full name of the pupil,
    - (b) The full name and address of any parent with whom the pupil normally resides,

- (c) At least one telephone number of the parent,
- (d) The pupil's future address and destination school, if applicable, and
- (e) The ground in regulation 8 under which the pupil's name is to be removed from the admission register.

- All schools must also notify the LA within 5 days of adding a pupil's name to the admission register with all the details contained in the admission register, including at standard transition points if requested by the LA.

- All schools must notify the LA of future additional or changes of address, including:

(i) The full name of the parent with whom the pupil will newly normally reside,

(ii) The specified other address, and

(iii) the date from which it is expected the child will normally reside there, where it is reasonably practicable for the proprietor to obtain that information."

- All schools must notify the LA when pupils are also registered at another school or will be changing school, including the name of that other school and the first date on which the pupil attended or is due to attend that school.

**3.2.** In Southampton as long as our comprehensive engagement with the B2B process continues, the above duties are delivered via this process, negating the need for an additional referral system to be introduced. The Southampton City Council CME Guidance assists school in responding to potential CME cases and our school Privacy Notices list this data sharing requirement. Our focus remains ensuring that robust procedures in place, prior to removal from roll, which deliver effective safeguarding practices.

**3.3.** The only duty not delivered by established data sharing procedures is the requirement for schools to notify the LA of the ground in regulation 8 under which the pupil's name is to be removed from the admission register. Removals from roll are monitored by the CME Officer who gate-keeps this activity so this information is apparent. The CME Officer co-works more complex cases with schools so the removal from roll reason should be known prior to removal.

## **4. Youth Support Data**

**4.1.** For pupils of 13 years and over, there is a legal duty as per section 72 of the education skills act 2008 to pass certain information to the LA's Youth Support Service, including name, date of birth and address of the pupil and parent and any further information relevant to the Youth Support Services duty to encourage, enable and assist young

people to participate and to track young people’s participation during academic years 12-13. The relevant further information to support the statutory returns to DfE is detailed in 3.2 below. The LA agrees that the information held by their Youth Support Service will not be beyond the name, date of birth and address where the parent (or children themselves if aged 16 or over) have notified the School/Academy that they shall not receive it.

- 4.2.** The LA’s Youth Support Service has a number of statutory returns to make for all year 11 pupils and also has to continue to track the participation all young people of academic age 12 and 13. The year 11 statutory returns with return-by-date (from the School/Academy) and submission date (to the DfE) are listed below and the data items required from the School/Academy to support these returns are listed in Appendix B. The documents to support these data returns will be in Excel format and will be sent to each School/Academy via the Southampton secure website AVCO Anycomms+ and should be returned by the dates below to Post-16 Data by the same method.

Annually	Year 11 Intended Destination (return April) - is a young person’s post-16 choice as to where they will progress after completing compulsory education.
Annually	Year 11 September Guarantee (return June) – is the offer of a post-16 place in learning received by the young person.
Annually	Year 11 Post-16 Destination Survey (return September) – this is the confirmed destination of all year 11 leavers on 1 <sup>st</sup> November.
Monthly	Monthly year 12 and 13 data returns – these are the statutory returns made by the LA detailing the current destination of all young people that reside within the city.

- 4.3.** In return the LA agrees to supply each School/Academy with School/Academy level post-16 destination data including progression and NEET data in November and a detailed Post-16 Destination Survey Report in January.

## 5. Assessment Data collection

- 5.1.** The LA have a statutory duty as per section 85 of the Education act 2002 to collect certain assessment data for end of key stage. KS1, EYFSP and phonics is collected by the LA and submitted to the DfE. The KS2 data is submitted directly to the DfE by the school and the LA is provided with this data which is used for the schools analysis. The processing of this data is necessary and is required to fulfil obligations under the data team SLA.

## 6. Looked After Children and Resources

- 6.1.** The Looked After Children Team supports children who are looked after longer-term and the Care Leavers Team supports those children aged 14 years and over who are looked after, leaving care and care leavers.
- 6.2.** The integrated Family Assessment and Intervention Service is managed by a jointly commissioned service manager who has oversight of the service as a whole with an

aim of achieving full integration of functions and fluidity of movement between the different service elements as required.

- 6.3. The School Improvement Service provides a key role in the work supporting schools, head teachers and governors. This team also includes the Virtual Head Teacher and the staff supporting Looked After Children who attend schools in the City and elsewhere.
- 6.4. The Children Act 1989, Section 22 states that is the duty of a Local Authority to safeguard and promote the welfare of a child looked after by them, including in particular a duty to promote the child's educational achievement.
- 6.5. Part 5, Section 99 of the Children and Families Act 2014 amends the Children Act 1989 (Section 22) so that a Local Authority must appoint at least one person for the purpose of discharging this duty.
- 6.6. Local authorities have a statutory responsibility as per the Children and Families act 2014 and The Childrens act 1989 to appoint at least one person for the purpose of discharging the local authority's duty to promote the educational achievement of its looked after children, wherever they live or are educated. That person (the VSH) must be an officer employed by the authority or another local authority in England.
- 6.7. Appendix C outlines the information schools will need to share with the LA in order for the LA to complete its legislative duties under the above acts.

## 7. Fair Processing of Data

- 7.1. The LA requires the School/Academy to notify data subjects of which organisations their personal data may be shared with using the current SCC fair processing notice. (see Appendix D)
- 7.2. The data will only be processed if a condition from Schedule 2 of the Data Protection Act 1998 ("the DPA") is met. From 25<sup>th</sup> May 2018, the General Data Protection Regulation ("the GDPR") will replace the DPA. Once the GDPR is in force, the data will only be processed if a condition from Article 6(1) of the GDPR is met. The LA will use the data to provide and plan services for children. Data will only be used in the best interests of the individual.

## 8. Appropriate Security Measures

- 8.1. The LA agrees to comply with the DPA and GDPR regarding security and to ensure that adequate security arrangements are in place, in order to protect the integrity and confidentiality of the information held.
- 8.2. Both parties will ensure that confidential data is always transferred using **secure electronic mechanisms** such as B2B, AVCO AnyComms or the DFE S2S secure data transfer website.



## 9. General Data Protection Responsibilities

- 9.1. This agreement must be ratified and signed by the School/Academy and the LA.
- 9.2. It is the responsibility of both parties to this agreement to ensure that they are properly registered to share information, in accordance with this protocol, as required under the DPA and GDPR.
- 9.3. The LA agrees to keep the information no longer than is necessary to plan and deliver services for children and young people or is otherwise statutorily required to do so.

## 10. Designated Officers

- 10.1. Each Party will confirm which individuals ('designated officers') are authorised to send and to receive the data to be shared. The designated officer will be the contact in the LA and the contact in the school authorised to send and receive the data to be shared.
- 10.2. Each Party will ensure that all of its designated officers are fully conversant with the provisions of this protocol and receive training regarding Human Rights and Data Protection principles.
- 10.3. Each Party will notify the other of its designated officers and ensure any change is notified promptly to enable records to be kept up to date.
- 10.4. Each Party will keep adequate records to ensure ease of administration, covering all aspects and documentation of the information sharing process. This information will be regularly reviewed to ensure it is accurate, relevant, and up-to-date



## 11. Review of Agreement

11.1. The Parties undertake to keep this agreement under review, in order to amend it as required and ensure it remains fully effective and necessary.

Signed on behalf of:


FAIRISLE JUNIOR SCHOOL

Name: PETER HOWARD

Position: Head Teacher

Tel. No: 023 8023 3415

Date: 20/11/17

Signature: 

Signed on behalf of:


**Southampton City Council**

Name: Jo Cassey

Position: **Service Lead - Education & Early Help, and Information Asset Administrator**

Tel. No: 023 8083 3347

Date: 10/11/2017

Signature: 

## APPENDIX A

### Data Items transferred between the School/Academy and the LA.

At the date of this agreement the list includes but is not limited to:

- Unique Pupil Number (UPN)
- Unique Learner Number (ULN)
- Legal Surname
- Legal Forename
- Date of Birth (DOB)
- Gender
- Preferred Surname
- Preferred Forename
- Middle Names
- Former UPN
- NCY Year Taught In
- FSM Eligible
- Religion
- Part Time details
- First Language
- Connexions
- Address
- SEN History
- SEN Provision
- Attendance
- Exclusions
- English as Additional Language
- Gifted and Talented
- Home Language
- Mode of Travel
- National Identity
- Ethnicity
- Traveller Status
- Service Children in Education
- Enrolment date
- Leaving date
- Reason for leaving
- Destination after leaving
- Future address

## **APPENDIX B**

**Data items transferred between the School/Academy and the LA Youth Support service.** (This data should be sent in Excel spreadsheet format via Anycomms.)

At the date of this agreement the list includes but is not limited to:

### **Intended Destination return (by the last day in April)**

Unique Learner Number (ULN)

Surname

Forename

Date of Birth (DOB)

Address

Telephone

Email

Year 11 Intended Destination

- Remain at same school
- College/Sixth Form
- Training
- Apprenticeship – definite place
- Apprenticeship – no definite place
- Employment – definite job
- Employment – no definite place
- Undecided
- Not yet obtained

## **APPENDIX B** (Continued)

### **September Guarantee return (by the last day in June)**

ULN

Surname

Forename

DOB

Address

Telephone

Email

#### **September Guarantee Offer**

- Offer of education or training
- No offer – application made awaiting outcome
- No offer – YP has not applied for learning
- No offer – unable to contact
- Not ready for formal learning – going into employment without training
- Not ready for formal learning – personal circumstances prevent learning
- Not ready for formal learning – other reason

## APPENDIX B (continued)

### Post 16 Destination Survey (by the last day in September)

ULN

Surname

Forename

DOB

Address

Telephone

Email

Post 16 destination

- Sixth Form (establishment name)
- College (establishment name)
- Training (type of training and provider name)
- Apprenticeship (type and company)
- Employment (type and company)
- NEET – seeking work
- NEET – not available teenage parent
- NEET – not available pregnancy
- NEET – not available illness
- NEET – not available young carer
- NEET – volunteering
- NEET – personal development opportunity (Princes Trust, Fairbridge, etc.)
- Moved away – known destination
- Moved away – unknown destination
- Custody
- Unknown

## APPENDIX C

### Data items transferred between the School/Academy and the LA in respect of Children Looked After

At the date of this agreement the list includes but is not limited to:

#### CLA Local Collection / CLA Target Tracker

NCY (National Curriculum Year Group) Actual

Part Time Pupils

CLA Attainment - uploaded on a termly basis

CLA Attendance/Exclusion – information to Welfare Call

Post 16 destination

- Sixth Form (establishment name)
- College (establishment name)
- Training (type of training and provider name)
- Apprenticeship (type and company)
- Employment (type and company)
- NEET – seeking work
- NEET – not available teenage parent
- NEET – not available pregnancy
- NEET – not available illness
- NEET – not available young carer
- NEET – volunteering
- NEET – personal development opportunity (Princes Trust, Fairbridge, etc.)
- Moved away – known destination
- Moved away – unknown destination
- Custody
- Unknown

## Appendix D

### Fair Processing of Data

The Academy and the Council agree that they will use all reasonable endeavours to notify parents, or other persons with parental responsibility of a child, of their intentions to the sharing of information.

- The Academy must issue Privacy Notice's to students/parents making them aware of such data collections. Suggested text for Privacy Notices can be found on the DfE website:

<http://www.education.gov.uk/schools/adminandfinance/schooladmin/ims/datamanagement/a0064374/suggested-text-and-guidance-for-issuing-privacy-notices>

- Local advice is also available on the Southampton City Council site:

<http://www.southampton.gov.uk/privacy>

and by contacting the Data Team at Southampton City Council.



## Amendment History

Version / Issue No.	Date	Authors	Remarks / Reason for Change

## Sign-Off List

Name	Position
PETER HOWARD	Head Teacher
JO CASSEY	Service Lead – Education and Early Help

## Distribution List

Name	Position

## Related Documents

Reference No.	Title	Author	Version & Date

<p><b>Authors:</b>  <b>Hayley Szczecinski</b>  <b>Debbie Blythe</b>  <b>Tina Selby</b>  <b>Nik Taylor</b>  <b>Alison Philpott</b>  <b>Bryn Roberts</b>  <b>Kerica Hunt</b>  <b>Sarah Weaver</b></p>	<p>Technical analyst Data team, Strategy Unit  Management Information Analyst (YOS and NEET) Employment, Skills and Business Engagement  Lead Officer, Inclusion Services  ICT strategy Manager  Cross phase advisor, Children &amp; Families  Team manager for inclusion services  Senior education Welfare officer  Lead Officer for Children Looked After</p>
<p><b>Date of agreement:</b></p>	<p>September/October 2017</p>
<p><b>Proposed Review Date:</b></p>	<p>September 2019</p>