

# Privacy Notice

## Public Health (Schools)

In order to comply with the UK General Data Protection Regulation (UK GDPR), where personal data relating to a data subject is collected, Lancashire County Council would like to provide you with the following details.

### Identity and contact details of the data controller

- Lancashire County Council, PO Box 78 County Hall, Fishergate, Preston, Lancashire, PR1 8XJ

### Contact details of the data protection officer

- Our Data Protection Officer is Paul Bond. You can contact him at [dpo@lancashire.gov.uk](mailto:dpo@lancashire.gov.uk) or Lancashire County Council, PO Box 78 County Hall, Fishergate, Preston, Lancashire, PR1 8XJ

### Purposes for processing

The public health team in Lancashire County Council offer services for children, young people and families that aim to improve their health and wellbeing. These include some children's health services and health screening programmes that are provided in schools. We know that improving children's health and wellbeing provides them with the best start in life and they are likely to achieve better at school, so improving health is important. Providing these services means early help or support can be provided or they can find health conditions early which can then be treated.

**The services will provide you with further information regarding their service offers and you have the opportunity to opt your children out. This is directly organised by the relevant service.**

These services are presently offered in schools:

- National Child Measurement Programme (NCMP): Every year children in reception and year 6 are weighed and measured by the school nurse team to assess the level of childhood obesity locally and nationally. This information is entered into a secure national database in order for The Office for Health Improvement and Disparities to drive health improvement and planning. The information helps public health to target activities to areas with high percentages of overweight children and is shared anonymously with all Lancashire County Council schools. The local public health teams who also look at this data so they can support health improvement and planning. The school nurse team may be providing you with further feedback and sources of further advice to some parents/guardians following the NCMP. Lancashire County Council identify the children, in reception and year 6, in local authority schools and share these details with the school nurse teams so they can undertake the programme.

- Dental screening survey: University of Central Lancashire (UCLan) School of Dentistry check the teeth of a sample of children each year in a few randomly selected schools. They share the results anonymously with The Office for Health Improvement and Disparities (OHID). OHID and the local authority (Lancashire County Council) then have an understanding of oral health problems and what health improvements or campaigns are needed in order to improve oral health. This survey is usually 5 year old children but at other times this could be other school aged children. The specific class lists for schools randomly selected to be part of this sample are shared with UCLan School of Dentistry to allow them to contact you to ask if you are OK with your child's teeth being checked.
- Vision screening: Children in reception year are offered an eye test by East Lancashire Hospitals NHS Trust (ELHT) in partnership with Blackpool Teaching Hospitals NHS Foundation Trust. This is a specific screening programme that identifies children who need a more thorough check-up or treatment. The children identified are signposted to orthoptic services, usually in hospital or local community services. Lancashire County Council identify the children, in reception, in local authority schools so they can be offered a vision screen.
- School nursing services: School nursing services offer a health needs assessment in the form of a health questionnaire to all reception, Year 6 and Year 9 pupils. They may then follow up with you or your child if they feel there is a need or issue with their health. An anonymised school report is shared with the schools so they can understand their school's health needs. Nurses can then advise schools with any health promotion activities or to support Personal, Social, Health Education (PSHE) planning. Lancashire County Council will also use the anonymised information to understand and improve the population health needs of children and young people in Lancashire so we can make plans and actions. The school nurses teams follow their organisation's consent requirements when offering health reviews. Schools in Lancashire have named school nurses so that you can contact them between these questionnaires if you want to and school nurses may see some children between these contact points if responding to need or to provide health advice.
- The services will provide you with further information regarding their service offers and you have the opportunity to opt your children out. This is directly organised with the relevant service.

### **Category of personal data being processed**

- a) Personal data (information relating to a living, identifiable individual)
- b) Special category personal data (racial, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation)

### **Legal basis for processing personal data**

Lancashire County Council has a general duty to share health and social care data under **Health and Social Care Act 2012 (section 251B)**

“Duty to share information

(1) This section applies in relation to information about an individual that is held by a relevant health or adult social care commissioner or provider (“the relevant person”).

(2) The relevant person must ensure that the information is disclosed to—

(a) persons working for the relevant person, and

(b) any other relevant health or adult social care commissioner or provider with whom the relevant person communicates about the individual,

but this is subject to subsections (3) to (6).

(3) Subsection (2) applies only so far as the relevant person considers that the disclosure is—

(a) likely to facilitate the provision to the individual of health services or adult social care in England, and

(b) in the individual's best interests.

(4) The relevant person need not comply with subsection (2) if the relevant person reasonably considers that one or more of the following apply—

(a) the individual objects, or would be likely to object, to the disclosure of the information;

(b) the information concerns, or is connected with, the provision of health services or adult social care by an anonymous access provider;

(c) for any other reason the relevant person is not reasonably able, or should not be required, to comply with subsection (2).

(5) This section does not permit the relevant person to do anything which, but for this section, would be inconsistent with—

(a) any provision [of the data protection legislation], or

(b) a common law duty of care or confidence.”

The conditions use to process the personal data under the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 vary depending on purpose of the data share. Each purpose and the conditions for sharing will be outlined below.

**National Child Measurement Programme (NCMP)**

The condition for Lancashire County Council sharing personal data for the purpose of the National Child Measurement Programme under the UK GDPR is:

**Article 6 (1) (c):**

*Processing is necessary for compliance with a legal obligation to which the controller is subject*

**National Health Service Act 2006** – schedule 1, paragraph 7B states that “the Secretary of State may by regulations (a) authorise the disclosure by any person with whom arrangements under paragraph 7A are made, to any person carrying out the weighing or measuring, of prescribed information relating to the children concerned; (b) require any weighing and measuring provided for [by a local authority] under paragraph 7A to be carried out in a prescribed manner and after compliance with any prescribed requirements, (c) make provision authorising any resulting information relating to a child, together with any advisory material authorised by or under the regulations, to be communicated in a prescribed manner to a person who is, or is treated by the regulations as being, a parent of the child, and (d) make other provision regulating the processing of information resulting from any weighing or measuring provided for [by a local authority] under paragraph 7A and of any other prescribed information relating to the children concerned.”

**The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013/218** - “where a local authority provides for a weighing and measuring exercise, personal information relating to the children concerned may be disclosed for the purposes of that exercise — **(a) by the local authority to the person carrying out the weighing or measuring of the children on behalf of the local authority; and (b) by the proprietor of the school concerned to the local authority or to the person carrying out the weighing or measuring of the children on behalf of the local authority.**”

The condition for Lancashire County Council sharing *special category* personal data (relating to racial or ethnic origin) for the purpose of the National Child Measurement Programme under the UK GDPR is:

**Art. 9 (2) (g):**

*Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State Law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.*

**Art. 9 (2) (h):**

Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services.

**Art. 9 (2) (i):**

Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices.

**Dental screening survey**

The conditions for Lancashire County Council to share school class list data with the provider under UK GDPR for the purpose of the dental screening survey is:

**Article 6 (1) (c):**

*Processing is necessary for compliance with a legal obligation to which the controller is subject*

**NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 –**

“(1) Each local authority shall have the following functions in relation to dental public health in England.

(2) A local authority shall provide, or shall make arrangements to secure the provision of, the following within its area—

(a) to the extent that the authority considers appropriate for improving the health of the people in its area, oral health promotion programmes;

(b) oral health surveys to facilitate—

(i) the assessment and monitoring of oral health needs,

(ii) the planning and evaluation of oral health promotion programmes,

(iii) the planning and evaluation of the arrangements for provision of dental services as part of the health service, and

(iv) where there are water fluoridation programmes affecting the authority’s area, the monitoring and reporting of the effect of water fluoridation programmes.”

**Article 6 (1) (e):**

*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*

Lancashire County Council has a duty to share data with health care providers under the **Health and Social Care Act 2012 (section 251B)**.

The condition for Lancashire County Council to share *special category* personal data (relating to racial or ethnic origin) for the purpose of the Dental Screening Survey under the GDPR is:

**Art. 9 (2) (g):**

Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State Law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

This is relied on by virtue of the Data Protection Act 2018 Schedule 1 Part 2 (6) Statutory etc and or government purposes.

**Vision screening**

The condition for Lancashire County Council to share class list and pupil contact details with the vision screen provider under the UK GDPR will be:

**Article 6 (1) (e):**

*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*

Lancashire County Council has a duty to share data with health care providers under the **Health and Social Care Act 2012 (section 251B)**.

**School Nursing Service**

The condition for Lancashire County Council to share class list and pupil contact detail with the school nurse provider under the UK GDPR will be:

**Article 6 (1) (e):**

*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*

Lancashire County Council has a duty to share data with health care providers under the **Health and Social Care Act 2012 (section 251B)**.

**How your information is used**

The information will be used to facilitate the named health service being able to offer the contacts, health screen or assessment.

**Individually** – the contacts from a vision screen, or school nurse health assessment ensures that children or young people receive individual appropriate advice, care, support or further referral.

**Schools** – schools receive anonymised (without details of children names or details) summaries of health questionnaires and NCMP data to influence Healthy School approaches including PSHE lessons or activity.

**Local authority (Lancashire County Council)** use the information at an anonymised level (without details of children names or details) to influence service planning and local public health initiatives,

**Nationally** - The Office for Health Improvement and Disparities will utilise the data from NCMP and the dental health screen for statistical comparisons (anonymised) and to influence national policy and health guidance recommendations.

## Recipients of the data

### Partners of Public Health (Schools)

#### National Child Measurement Programme (NCMP)

- Schools in Lancaster, Fylde, Wyre, Preston, Chorley, South Ribble, West Lancashire, Burnley, Hyndburn, Pendle, Rossendale and Ribble Valley - **Virgin Care Services Limited**

#### Vision screening

- Schools Preston, Chorley, South Ribble, West Lancashire, Burnley, Hyndburn, Pendle, Rossendale and Ribble Valley - **East Lancashire Hospitals NHS Trust**
- Schools in Lancaster, Fylde and Wyre - **Blackpool Teaching Hospitals NHS Foundation Trust**

#### Dental screening survey

- All schools in Lancashire – **UCLan School of Dentistry**

#### School nursing

- Schools in Lancaster, Fylde, Wyre, Preston, Chorley, South Ribble, West Lancashire, Burnley, Hyndburn, Pendle, Rossendale and Ribble Valley - **Virgin Care Services Limited**

#### Information we share

Lancashire County Council will share the following categories of information with the partners listed above:



- Name
- Date of birth
- Age
- Address
- Gender
- Ethnicity (N.B. not in relation to Vision Screening)

### **Any transfers to another country**

- No

### **Retention periods**

Lancashire County Council will only store your information for as long as is legally required or in situations where there is no legal retention period they will follow established best practice.

<b>Type</b>	<b>Description</b>	<b>Retention Period</b>
Personal details	Class lists	12 months for the class lists. Please note it is the health provider that hold child health records.
NCMP	Annual NCMP collection for reporting to The Office for Health Improvement and Disparities	12 months during the annual collection period, submission of data via the NHS digital system deleted after twelve months.

### **Your rights**

You have certain rights under the UK General Data Protection Regulation (UK GDPR), these are the right:

- to be informed via Privacy Notices such as this.
- to withdraw your consent. If we are relying on your consent to process your data then you can remove this at any point.
- of access to any personal information the council holds about yourself. To request a copy of this information you must make a subject access request in writing. You are entitled to receive a copy of your personal data within 1 calendar month of our receipt of your subject access request. If your request is complex then we can extend this period by a further two months, if we need to do this we will contact you. You can request a subject access request, either via a letter or via an email to Information Governance Team, address below.

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

If you want to exercise any of these rights then you can do so by contacting:

Information Governance Team  
Lancashire County Council  
PO Box 78  
County Hall  
Preston  
PR1 8XJ

Email: [dpo@lancashire.gov.uk](mailto:dpo@lancashire.gov.uk)

To ensure that we can deal with your request as efficiently as possible you will need to include your current name and address, proof of identity (a copy of your driving licence, passport or two different utility bills that display your name and address), as much detail as possible regarding your request so that we can identify any information we may hold about you, this may include your previous name and address, date of birth and what council service you were involved with.

### Further information

If you would like more information concerning this arrangement then please contact

<b>Local Authority:</b> Lancashire County Council	Public Health Service Team (commissioning) Via: Public Health Admin <a href="mailto:PHAdmin@lancashire.gov.uk">PHAdmin@lancashire.gov.uk</a>
<b>Service Provision</b>	<b>Information Governance Contact Details</b>
<b>School Nursing and NCMP</b> Schools in Lancaster, Fylde, Wyre, Preston, Chorley, South Ribble, West Lancashire, Burnley, Hyndburn, Pendle, Rossendale and Ribble Valley	Virgin Care Services Limited Head of Information Governance Data Protection Officer <a href="mailto:information.governance@virgincare.co.uk">information.governance@virgincare.co.uk</a> 01925 302515

<b>Dental screening service over Lancashire</b>	Information Governance Manager & Data Protection Officer University of Central Lancashire Email: <a href="mailto:DPFOIA@uclan.ac.uk">DPFOIA@uclan.ac.uk</a> 01772 892561
<b>Vision Screening</b> Schools in Preston, Chorley, South Ribble, West Lancashire, Burnley, Hyndburn, Pendle, Rossendale and Ribble Valley	East Lancashire Hospitals Trust Data Protection Officer, Royal Blackburn Teaching Hospital, Haslingden Rd, Blackburn, BB2 3HH. <a href="mailto:IG-Issues@elht.nhs.uk">IG-Issues@elht.nhs.uk</a>
<b>Vision screening</b> Schools in Lancaster, Fylde and Wyre	Blackpool Teaching Hospital Information Governance Department Blackpool Teaching Hospitals NHS Foundation Trust Whinney Heys Road Blackpool FY3 8NR <a href="mailto:bfwh.pso@nhs.net">mailto:bfwh.pso@nhs.net</a>

For more information about how we use personal information see Lancashire County Council's full [privacy notice](#).

If you wish to raise a complaint on how we have handled your personal data, you can contact the Information Governance team who will investigate the matter.

Lancashire County Council, PO Box 78 County Hall, Fishergate, Preston, Lancashire, PR1 8XJ or email: [dataprotection@lancashire.gov.uk](mailto:dataprotection@lancashire.gov.uk)

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the [Information Commissioner's Office \(ICO\)](#).