

# DATA SHARING AGREEMENT

## 1. Parties to this agreement

<b>Organisation's Name</b>	City of Bradford Metropolitan District Council (CBMDC). Education & Learning, Department of Children's Services.
<b>Address</b>	Margaret McMillan Tower, Princes Way, Bradford, BD1 1NN.
<b>Responsible Manager</b>	Rebecca Caladine, Data and Intelligence Manager
<b>Contact Details</b>	Tel: 01274 439648
<b>Source / Recipient or both?</b>	Recipient
<b>Authorised Signatory/Date</b> (Caldicott Guardian, SIRO, Chief Executive, Director etc)	Sue Lowndes, Interim Assistant Director Schools  <i>Sue Lowndes</i>  Date:07.10.22

<b>Organisation's Name</b>	
<b>Address</b>	
<b>Responsible Manager</b>	
<b>Contact Details</b>	
<b>Source / Recipient or both?</b>	Source
<b>Authorised Signatory/Date</b> (Caldicott Guardian, SIRO, Chief Executive, Director etc)	    Date:

<b>Date of Agreement</b>	October 2022
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## 2. Specific purpose(s) for which the data sharing is required (all intended purposes should be described; it may be appropriate to describe each one on a separate pro forma)

<p>To enable the effective sharing of necessary information between Bradford LA maintained schools, academies and free schools (referred as 'Schools' below) and City of Bradford Metropolitan District Council (CBMDC) in the conduct of the Council's statutory and core services to children and schools. The sharing of agreed information will promote and maintain positive working relationships between the school, City of Bradford Metropolitan District Council and other relevant parties to ensure positive outcomes and services for all school age children across the district. It will help maintain the quality of school data and help to reduce the administrative burden on schools as data will only need to be inputted once by the school but used many times as necessary by City of Bradford Metropolitan District Council services in support of the outcomes for children and young people.</p>
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The information shared will support schools to ensure the accuracy of their statutory data returns while assisting Children and Young People's Services and professionals within City of Bradford Metropolitan District Council to fulfil their statutory duties as well as best practice in the promotion of outcomes. The information shared will also be used to support and inform strategic planning across Bradford District in meeting the needs of children and young people as well as to support educational establishments to fulfil their roles and responsibilities.

The City of Bradford Metropolitan District Council will notify the School if they become aware of any identified inaccuracies in the data they receive to ensure that data held by both parties is accurate and up to date. The City of Bradford Metropolitan District Council will also make the data available via data analysis to Children and Young People's Services professionals within the City of Bradford Metropolitan District Council. The data is held on secure servers, only accessible by authorised staff. The data is held on a central pupil database which is only accessible by authorised staff, password protected and subject to an acceptable use policy at every log-in.

The City of Bradford Metropolitan District Council will share data with other parties, in compliance with relevant data protection legislation, in order to fulfil its statutory duties in regard to the education and welfare of all children and young people for whom they are responsible:

### **Safeguarding, SEND and vulnerable Children**

1. Unique Pupil Number (UPN) will be shared with Children's Social Care to enable identification of vulnerable cohorts.
2. Incidences of domestic violence and associated pupil and family data are shared with the schools that those children attend.
3. Data is shared with Schools, Health, the Police, HMRC and other Local Authorities for the purpose of locating children defined as Children Missing Education (CME).
4. Data will be shared where children apply for a performance licence in relation to Child employment and entertainment in line with Education Safeguarding responsibilities.
5. Educational Psychology reports are shared with the school that child attends.
6. Data will be shared to support schools to better understand the needs of children and young people involved with the Social, Communication, Interaction and Learning (SCIL) Team.
7. Data will be shared to populate the CPOMS Engage System, allowing schools and Children's Services to dynamically share data where appropriate. Including but not limited to Integrated front door, Child Exploitation, Educational Safeguarding and Domestic and Sexual Abuse Service.
8. Data will be shared with Bradford's Supporting Families team to support service provision and demonstrate successful outcomes of family focused interventions. Data may be shared with the National Supporting Families Team at DLUHC to verify the quality of work done and progress made for families.

### **Sufficiency, commissioning and research**

9. Data is shared with schools for the purposes of school admissions.
10. Shared with the NHS for the purpose of informing and planning for future services, and to commission and monitor health services.
11. Pseudonymised data is shared with Bradford Teaching Hospitals Foundation Trust to support the Born In Bradford and Connected Bradford programmes.
12. Summary school census data (pupils on roll by National Curriculum Year) will be shared with other Local Authorities for the purpose of ensuring there are adequate school places available for the future.

### **Funding, performance and accountability**

13. Internally for statistical analysis to support service provision across the council.
14. Data from the school census is also be used by CBMDC for the purposes of determining the school's budget allocation, based on the Council's school funding formula. The composition of this formula and the definitions of the data used in it, are published and changes are subject to consultation with the Schools Forum.
15. Released in response to Freedom of Information requests in accordance with the Freedom of Information Act 2000.
16. Information will be processed by the National Consortium for Examination Results (NCER) and their Nexus and Perspective Lite systems, for the statutory key stage collections and the reporting and analysis of pupil data to aid school effectiveness and improvement.

### **Employment and Skills**

17. Data is shared internally to support the local authority's statutory duty in relation to education, employment and training, under the [Education Act 1996 \(Section 15ZA\)](#), i.e. that Bradford Local Authority "*must secure that enough suitable education and training is provided to meet the reasonable needs of (a) persons in their area who are over compulsory school age but under 19, and (b) persons in their area who are aged 19 or over and for whom an EHC plan is maintained.*" This includes the commissioning and delivery of education and training provision for young people, promoting the participation of young people, and tracking and supporting young people's activity. The LA has a duty to the identify young people at risk of, or not participating in education, employment or training ("NEET") with a particular focus on young people with specific vulnerabilities, i.e. those with special educational needs and/or disabilities, care experienced young people, etc
18. Data is shared with the Careers and Technical Education Partnership (CTEP) for the purposes of: (a) monitoring the participation of children and young people in the delivery of curriculum support and careers advice and guidance; (b) informing and shaping the partnership on the curricular needs of schools, and other education and training providers; and (c) tracking the progress of students through their chosen educational pathways. Relevant individual data, including some data on qualifications attained, is uploaded on to a Customer Relationship Management (CRM) database which allows authorised users to access the database and data for student, school and business engagement as appropriate to their needs and at an appropriate level of aggregation. The CRM system is provided by Alcium.

### **Accessibility and Curriculum support**

19. Information will be shared with the West Yorkshire Combined Authority for the purpose of providing eligible children with travel passes and appropriate travel assistance.
20. Information will be shared with Passenger Transport Services (PTS) and their taxi operators for the purpose of providing eligible children with safe and appropriate travel assistance.
21. Data is shared with schools and Windstruments, who are contracted by the Music and Arts Service for the purpose of delivering music lessons to children.

The City of Bradford Metropolitan District Council will not use collected information from your school for the purposes of marketing without specific written permission from the school beforehand. Nor will City of Bradford Metropolitan District Council share data with any other external group or company unless legally obliged to do so (or to ensure the safety and wellbeing of children and young people). This limitation includes sharing with other Schools and Local Authorities.

### 3. Type and status of data shared

<b>Is the data 'person identifiable'? (yes/no)</b>	<b>Yes</b>
<b>Has a Data Protection Impact Assessment (DPIA) been completed? (yes/no)</b>	Yes
<b>If the answer to the above question is YES, please give the DPIA reference number.</b>	DPO21-47
<b>Have individuals been provided with a privacy notice? (yes/no)</b>	No – Schools are directed to the DfE privacy notice template on BSO for schools to disseminate to pupils. This is the schools responsibility.
<b>Are individuals aware that sharing will take place? (yes/no)</b>	Yes – schools provide the required notification through their individual Privacy Notices

### 4. Data Items shared

This list must be comprehensive and include ALL data items that are to be shared. All data items to be shared must be justifiable as necessary for the purpose. You should tailor this section to suit your organisation's specific needs.

<b><u>Individuals' Data</u></b>	<b><u>Please list all that apply or say 'none'</u></b>
<b>Name, address, contact details, date of birth, gender, GP, bank details</b>	<b>Basic Pupil Data:</b> Forename, Middle Name, Surname, Chosen Surname, Chosen Forename, Date of birth; Gender; Home address, Postcode, Unique Property Reference Number - (UPRN)
<b>Identifying numbers</b> (NHS no. Carefirst no. etc.)	Unique Pupil Number – (UPN), Unique Learner Number – (ULN) – Former Unique Pupil Number (UPN)
<b>Next of Kin, Emergency Contact, Carer Details</b>	Forename, Surname, address, email, telephone numbers, relationship,
<b>Special category data:</b> Religious beliefs; race or ethnic origin; political opinions; trade union details; genetic data; biometric data (where used for ID purposes); health information; sexual orientation.	Home Language, First Language, Ethnicity, Care order, Religion, Medical Flag, SEND status, SEN Need, SEN Rank, SEN start date, FSM Eligibility, Exclusions, School attendance, Service Child Indicator, National Curriculum Year, Part Time Flag, Traveller Type, Traveller Source
<b>Other</b> (Please describe in full)	School, School entry date, School leaving date, Reason for leaving, Youth Support Service Agreement - YSSA details, Gifted and Talented Indicator
<b>Risk Factors</b> The Data Controller is to identify any risks associated with sharing this information and raise them when sharing.	Risk Factors have been assessed in DPIA number DPO21-47

### 5a. Legal basis for sharing personal data

<b>If processing personal data, what is the lawful basis for processing under Article 6 of the GDPR?</b>	(1)(c) - Processing is necessary for compliance with a legal obligation to which the controller is subject; (1)(e) - processing is necessary for the
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(For further information go to the <a href="#">ICO page</a> )	performance of a task carried out in the public interest or in the exercise of official authority vested in the controller General Data Protection Regulation is also met. City of Bradford Metropolitan District Council will use the data to provide and plan services for children and young people. Data will only be used in the best interests of the individual.
<b>List all the relevant piece(s) of legislation that allows you to process and share the personal data:</b>	Education Act 1996 (2002 & 2011), s14. Education & Skills Act 2008, s10. Children Act 2004, s.10 & 11. Children Act 1989, s.17 & 47. Working together to safeguard children 2018. School Admissions Code, Section 2.

### 5b. Legal basis for sharing special categories of personal data

<b>If processing special category data, what is the lawful basis for processing under Article 9 of the GDPR?</b>  (For further information go to the ICO page on <a href="#">special category data</a> )	Article 89(1) City of Bradford Metropolitan District Council will use the data to provide and plan services for children and young people. Data will only be used in the best interests of the individual.
<b>List all the relevant piece(s) of legislation that allows you to process and share the special category data:</b>	9(2)(j) - processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) 9(2)(g) – which permits processing for reasons of substantial public interest. The associated substantial public interest processing conditions are support for individuals with a particular disability or medical condition, equality of opportunity or treatment, safeguarding of children and individuals at risk, and statutory and government purposes.”
<b>If processing criminal conviction data, have the conditions for processing criminal conviction data (Article 10) been identified and recorded by the Data Controller?</b>	N/A

### 6. Protective Marking

<b>Please state the Bradford Council protective marking label used for personal information being shared.*</b>	In line with City of Bradford Metropolitan District Council protective marking labels
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<b>Otherwise, please state the system relevant to your organisation</b>	
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\*Bradford Council uses the following protective marking labels:

**Official** – all official Council documents

**Official-Sensitive** – for documents containing personal information

**Official-Confidential** – for documents which must not leave the Council network

It is envisaged that for most sharing purposes, documents would be marked Official-Protect.

## 7. Data Transfer Method

All parties to this agreement are responsible for ensuring that appropriate security and confidentiality procedures are in place to protect the transfer, storage and use of the shared, person identifiable data.

<b>Regular flow (specify frequency)</b>	Daily
<b>Ad hoc</b>	N/A

Give full details of how the transfer will be made and what security measures will be in place e.g. encryption, business secure mail or recorded signed for etc.

<b>Face to face</b>	N/A
<b>Telephone</b>	Contact schools to resolve pupil levels data conflicts.
<b>AnyComms</b>	N/A
<b>Secure E Mail</b>	To facilitate additional data validation from the DfE.
<b>Secure Mail</b>	N/A
<b>Secure Courier</b>	N/A
<b>Encrypted Removable Media</b>	N/A
<b>Other (please state method)</b>	Pupil level data is transferred from the schools Management Information System using encrypted third party file transfer. The transfer of this data is automatic and secure.

<b>Has a risk assessment been carried out on the chosen methods of transfer?</b>	Risk Factors have been assessed in DPIA number DPO21-47.
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<b>What are the identified risks?</b>	<p>Risks identified in DPIA number DPO21-47.</p> <ul style="list-style-type: none"> <li>• An employee may gain unauthorised access to the system, accessing personal data inappropriately. Either via password sharing or IT system error.</li> <li>• A user may download the data and use it for an unauthorised purpose.</li> <li>• An outside agency tries to access the data (hacking)</li> <li>• Data not being backed up, data which is lost is not capable of being retrieved</li> <li>• An employee changes sensitive data for their own purposes</li> </ul>
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	<ul style="list-style-type: none"> <li>• Personal Sensitive Data is being shared with multiple parties in a joint project and there is the possibility of it going to the wrong place or ensuring the compliance of data protection of the other parties</li> <li>• Inadequate functionality (risks: not able to locate/delete records)</li> </ul>
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## 8. Audit and Review

<b>Organisation's Name</b>	City of Bradford Metropolitan District Council (CBMDC). Education & Learning, Department of Children's Services.
<b>Address</b>	Margaret McMillan Tower, Princes Way, Bradford, BD1 1NN.
<b>Responsible Manager</b>	Rebecca Caladine, Data and Intelligence Manager
<b>Contact number</b>	Tel: 01274 439648
<b>Review Date</b>	November 2022

## INCIDENTS

Any incidents occurring as a result of this agreement should be reported to the signatories of all affected organisations. They will then pass on the information in accordance with incident reporting procedures within their own organisation if appropriate. Organisations will agree to share information in order to help investigate any such incidents.

## 9. Access to Information

<b>Subject Access Requests Will Be Directed To</b>	Information Governance Team, City of Bradford Metropolitan District Council, City Hall Bradford BD1 1HY
<b>Special Arrangements for Subject Access Requests</b>	None

## 10. Retention and Disposal

<b>Retention Period for Data</b>	Pupil's DOB + 25 years.
<b>Disposal Method for Data</b>	Data will be confidentially destroyed and disposed of in a secure manner as part of electronic database management

For further information about the framework, please see the Inter Agency Sharing Protocol, available via City of Bradford Metropolitan District Council Bradnet: [Information-governance](#)