**Information Sharing Agreement**

In relation to:

Destinations/Situations Data

This individual Agreement is made between:

Staffordshire County Council

and

[Insert name of school]

**1. Introduction**

**1.1 Purpose for the sharing**

The law requires all young people in England to continue in education or training until at least their 18th birthday.

The Council has a responsibility to increase and support young people’s participation in learning and in order to do this they must record and track a young person’s destination post 16.

Schools collect information on intended destinations from pupils and have a statutory obligation to provide that data to the Local Authority to support the monitoring of the September Guarantee.

Schools with sixth forms, colleges and training providers should then confirm actual destinations, via enrolments, with the Local Authority for all 16- and 17-year-olds.

The Local Authority is not required to return actual destination data to schools, however having access to this data would allow schools to plan, review and improve career provisions and support them in meeting the requirements outlined in Gatsby Benchmark 3 – Addressing the needs of each pupil.

The purpose of this agreement is to facilitate the sharing of information between the partners outlined above. The agreement sets out the standards and a framework for data to be shared.

Organisations involved in providing services to the public have a legal responsibility to ensure that their use of personal information is lawful, and that individual’s rights are respected. By accepting this agreement all organisations confirm their intention to share information in a lawful and controlled way.

**1.2 Statutory powers**

The Department for Education Destinations Data: Good practices guidance for school’s outlines that schools should seek to establish a clear process with Local Authorities for the regular sharing of information on young people’s actual destinations back to school in the Autumn term.

Gatsby Benchmark 3 – Addressing the needs of each pupil, states that careers programmes should be tailored to the needs of pupils. Since students have different guidance needs at different stages of their education, opportunities for advice and support should be specific to the next steps in their career journey.

**1.3 Lawful basis**

As there is no statutory requirement to share personally identifiable destinations data with schools, this sharing will only take place where the pupil has consented to the sharing.

Consent is outlined in Article 6(1)(a) of the GDPR and states that ‘the individual has given clear consent for you to process their personal data for a specific purpose.’

Consent will be obtained by the school which the pupil attends in Year 11. Pupils should also be provided with a copy of the school privacy notice and Staffordshire County Council careers participation privacy notice.

**1.4 Length of agreement**

This agreement will commence once it has been agreed and signed by both parties. It will remain in place indefinitely but will be reviewed annually to ensure it remains an accurate reflection of the sharing taking place.

**1.5 Key Contacts**

|  |  |  |
| --- | --- | --- |
| **SCC contact** | **Email** | **Telephone** |
| Shaun Riley Co-Head of Careers and Participation | shaun.riley@staffordshire.gov.uk | 01785 276153 |
| Alison Matthews Head of 16-18 Participation and Skills | alison.matthews@staffordshire.gov.uk | 01785 278901 |
| Andrew Parker Database Administrator | andrew.parker@staffordshire.gov.uk | 01785 276145 |
| Linda RunhamData Analyst | linda.runham@staffordshire.gov.uk  | 01785 276144 |

**Provider Name:** *School to complete*

**Address:** *School to complete*

|  |  |  |
| --- | --- | --- |
| **School contact** | **Email** | **Telephone** |
| *School to complete* |  |  |
|  |  |  |
|  |  |  |

*Note: The contacts must be from each of the organisation involved who have sufficient awareness of the details of information that is being shared.*

**2. Information Sharing**
**2.1 Type of information that may be shared**

Upon confirmation of consent from the school, Staffordshire County Council will share the following personal data with the named school in relation to young people aged 16-18 (and up to 25 with an EHCP):

* Pupil name
* Pupil date of birth
* Type of destination, e.g., Sixth form, Apprenticeship, Employment
* Employer/Education provider name
* Start date
* Confirmation date of this information

Data will be provided when the activity survey is released in the Spring term.

There will also be the option to share data at other times during the year on request, subject to the capacity within the service planning and performance team.

**2.2 Consent**

School should make the consent form (Appendix A) available to pupils in year 11. It should be made clear to pupils that, although the school are facilitating the collection of consent, the consent is being requested by SCC.

There is an expectation that pupils of this age will have the capacity to provide consent, however where school believe that this is not the case, consent should be sought from the person who maintains parental responsibility for the pupil.

School should maintain a list of those pupils who have consented to the sharing and ensure that this list remains accurate and up to date. The consent will last until the pupil is 18 years old (approximately 2 years from collection).

School should provide the list of pupils who have consented to the sharing to SCC in year 11 and an updated list in year 12. This should be provided to SCC using the Council’s Secure File Transfer facility.

If a pupil withdraws their consent at any time, the school must update their list immediately and inform SCC to ensure that no further data is shared, regarding that pupil, for the purposes outlined in this agreement. Withdrawal of consent will not affect any other sharing which may be taking place for statutory purposes.

**2.3 How the data will be shared**

Transfer of data will be shared on the frequencies outlined above and will be done securely using the Council’s Secure File Transfer facility.

The information being shared will only be used for the purposes outlined in this agreement.

If either partner identifies any discrepancies in the data, they should make the other partner aware as soon as possible so that the discrepancy can be investigated and, where necessary, rectified.

**2.4 How the data will be used**

There are a number of benefits to schools and pupils in increasing the use of destinations data as follows:

* Help to improve their management information, so they have a better understanding of where their students for and what they do after leaving school. This can help to determine if the careers provision given to students was right for that student.
* Schools can collect more data than is available in published statistics.
* Schools can cross-refer the actual destination against the intended destination to review whether the student had changed their mind at the last minute, and, if so, why. This helps schools to evaluate the quality of careers provision, including whether a student needed more or different support in making their decision.
* Schools can consider whether the student’s intended destination is appropriate for them, or whether the intended destination raises a ‘red flag’ requiring intervention.
* Schools can publicise statistical data about what their students have gone on to do.

This agreement is supplemental to any other data sharing agreements in place between the partners with regards to sharing data for purposes of careers participation.

**2.5 Retention and destruction**

Data should be held by the school in line with their retention and disposal schedules. Records must be held securely, and access controlled to those members of staff who are authorised to view the data. When the record reaches its retention, it should be securely destroyed.

Where a pupil withdraws their consent to the sharing, the school must destroy their copies of the shared data. SCC will continue to process this data in line with their statutory requirements.

**2.6 Data subject rights**

Any request, by a data subject, to exercise their rights under the UK-GDPR and/or requests made under the Freedom of Information Act 2000 should be dealt with by the organisation receiving the request, in line with statutory timeframes.

Partner organisations shall provide reasonable assistance, where required, to support the organisation in meeting their legal obligations.

**2.7 Data Protection and Confidentiality**

Each partner will act as a Data Controller for the data being shared as part of this agreement.

Each partner should be aware of their responsibilities as a Data Controller under the UK-GDPR and the Data Protection Act 2018.

All staff should have received relevant Data Protection and Information Security training and be aware of their common law duty of confidence, and any other professional codes of conduct, when handling personal data.

**2.8 Data Security**

Both partners to this agreement will ensure that they have appropriate technical and organisational measures in place to protect against unauthorised or unlawful processing and against accidental loss, destruction, or damage.

In the event of a data breach occurring relating to data shared under this agreement, the party responsible for the breach will inform the other party and will carry out a full investigation in line with their organisations Information Security Incident Procedure. The ICO and the data subject will be informed of the breach where the breach meets the necessary threshold for reporting.

Both partners will report any queries or complaints involving data pertaining to this agreement immediately to the key contacts.

**3. Review of Agreement**

This agreement will be reviewed every 2 years unless there are significant changes required before this date. This agreement will remain in force irrespective of whether the agreement has been officially reviewed until a notice of termination.

**4. Signatures**

Signed for and on behalf of Staffordshire County Council, 1 Staffordshire Place, Tipping Street, ST16 2LP.

|  |  |
| --- | --- |
| Name: |  |
| Position: |  |
| Signature: |  |
| Date: |  |

|  |
| --- |
| If applicable, please also complete the below: |
| ICO Registration No. |  | Date of expiry: |  |
| DSP IG Toolkit Code |  | Rating and Score: |  |

Signed for and on behalf of [insert name of school and address]

|  |  |
| --- | --- |
| Name: |  |
| Position: |  |
| Signature: |  |
| Date: |  |

|  |
| --- |
| If applicable, please also complete the below: |
| ICO Registration No. |  | Date of expiry: |  |
| DSP IG Toolkit Code |  | Rating and Score: |  |

**Appendix A – Consent** 

Staffordshire County Council has a statutory obligation to record and track your education, employment and training status, until the September after your 18th birthday and provide support to you during this time.

Schools are also expected to monitor the status of former pupils for at least 3 years following Year 11 to measure the quality of careers guidance it provides to students. Staffordshire County Council holds some data about you which will support your school to achieve this but will only share this data with them with your consent.

The information the Council would share with your year 11 school, is as follows:

* Your name
* Your date of birth
* Type of destination, e.g., Sixth form, Apprenticeship, Employment
* Employer/Education provider name
* Start date
* Confirmation date of this information

If you are happy for Staffordshire County Council to share the data outlined above with your Year 11 school for 2 years after leaving, please complete the following details:

Full name: ­­­­

Signature:

Date:

If you do not complete and return this consent form, we will assume that you do not want us to share your data.

You may withdraw your consent at any time by emailing [insert school contact details] and your data will no longer be shared for the purposes outlined above.

For more information about how your data is processed by your Year 11 school, please see their privacy notice: [insert school privacy notice link].

Pupils should be informed about how their data is used by making a privacy notice available to them. Staffordshire County Council’s privacy notice can be found at the following link: [Our privacy notice - Staffordshire County Council](https://www.staffordshire.gov.uk/Your-council-and-democracy/Privacy-notices/Privacy-notice.aspx) and the Careers and Participation Service privacy notice can be found here: [Careers participation - Privacy Notice - Staffordshire County Council](https://www.staffordshire.gov.uk/Jobs-and-careers/Careers-participation-Privacy-Notice.aspx).

If you have any questions about the information we hold about you, please contact our Data Protection Officer: DPO@staffordshire.gov.uk.