



Llywodraeth Cymru
Welsh Government

Post-16 Specialist Further Education Provision

Privacy Notice

Issued June 2020

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

OGL

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Welsh Government privacy notice

In accordance with General Data Protection Regulation (GDPR) which came into force on 25 May 2018, this notice sets out what the Welsh Government does with your personal data that we receive from Careers Wales as part of any one or all of the following:

1. The post-16 specialist placements application process.
2. The appeals process
3. Section 140 Assessment request process

The information in this notice will be kept under review.

1. Background

The **Welsh Government** receives information from Careers Wales on young people who require post-16 specialist provision under the Learning and Skills Act 2000.

2. What data does Welsh Government receive?

Once the application form is complete, the form together with supporting information submitted to Welsh Government for decision. The application will contain information from a number of sources, including the young person, their parent/carer, the young person's current or previous school, relevant mainstream and specialist educational institutions, any health or social services body involved with the individual's needs, and any other relevant information.

Welsh Government may request additional information about you (the young person, their parent/carers), in order to undertake an appeals process when the original decision is not acceptable.

3. What is Welsh Government doing with your information?

Upon receipt of the information from Careers Wales the Welsh Government becomes the data controller.

As data controller, the Welsh Government relies on the lawful basis for processing personal data received in your application for Post-16 specialist placement under Article 6(1)(e) of GDPR in line with its public task and the official authority vested in it for the purpose of:

- To make a decision whether the applicant is eligible for funding at a specialist further education (FE) establishment;
- To secure the service of an Educational Psychologist (EP) where required;
- In the event of an appeals process, to secure the service of an EP (where appropriate); and
- Personal information will also be processed to provide correspondence on progress and decision of the application submitted

In some cases, Welsh Government receives information relating to additional learning needs and/or health information that falls within the special categories of personal data under GDPR. In these instances we rely on Article 9(2)(g) applies “reasons of substantial public interest” for the purpose of adhering to the criteria of your application.

4. Who does Welsh Government share your information with?

As part of the decision making process your information may be shared with the young person’s local authority education department, social services department or health board. Should there be a requirement, then under some circumstances, your data shared with an appointed educational psychologist (EP)

5. How long will we keep this data?

Welsh Government will keep this data for the duration of 10 years from the end date of the application or the criteria which underpin the statutory regulation.

6. Your rights under the GDPR

You have the right to:

- ✓ Have access to the personal data that Welsh Government are processing about you;
- ✓ Require Welsh Government to rectify inaccuracies in that data;
- ✓ The right (in some circumstances)to object to processing on grounds relating to your particular situation;
- ✓ The right to restrict processing (in some circumstances)
- ✓ Lodge a complaint with the Information Commissioner who is the independent regulator for data protection.

For further information about the information which Welsh Governments holds and its use, or if you wish to exercise your rights under the GDPR, please see contact details below:

Project Team:	Post-16 Additional Learning Needs Team Education Directorate Welsh Government Llys Y Ddraig Penllergaer Business Park Swansea SA4 9NX
Email Address:	Post16ALN@gov.wales

Data Protection Officer:	Welsh Government Cathays Park
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