

## Public Health (Schools) – Privacy Notice

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 Public Health England 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 (LCC) 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. LCC 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:** Pennine Care NHS Trust check the teeth of a sample of children each year in a few randomly selected schools. They share the results anonymously with Public Health England (PHE). PHE and the local authority (LCC) 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 reception aged 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 the NHS 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 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. LCC 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.

### **Partners of Public Health, Schools**

#### *National Child Measurement Programme (NCMP)*

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

#### *Vision screening*

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

#### *Dental screening survey*

- All schools in Lancashire - *Pennine Care Foundation Trust*

#### *School nursing*

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

### **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)

### **Legal gateways being used to share information**

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 General Data Protection Regulation (GDPR) 2018 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 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 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.*

### **Dental screening survey**

The conditions for Lancashire County Council to share school class list data with the provider under 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.”

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.*

**Vision screening**

The condition for Lancashire County Council to share class list and pupil contact details with the vision screen provider under the 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 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 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 (LCC)** use the information at an anonymised level (without details of children names or details) to influence service planning and local public health initiatives,

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

## Personal and special category data

The Data Protection Act 2018 defines personal and sensitive information as:

Personal information is:

- Information/Data which relates to a living, individual who can be identified from the data or other data/information that Lancashire County Council holds
- This could be single elements or a combination e.g. names, addresses, occupation, date of birth etc. it could also include opinions about them and intentions towards them.

Special category data is:

- Physical or mental health, racial or ethnic origin, political opinions, trade union membership, sexual life, criminal allegations or record.

*How long is your information stored?*

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.

| Type             | Description                                                   | Retention Period                                                                                                          |
|------------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| 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 Public Health England | 12 months during the annual collection period, submission of data via the NHS digital system deleted after twelve months. |

## Further information

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

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|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Local Authority:</b><br>Lancashire County Council | Information governance:<br><a href="http://www.lancashire.gov.uk/council/transparency/access-to-information/how-we-use-your-personal-information-and-your-right-to-access-it.aspx">http://www.lancashire.gov.uk/council/transparency/access-to-information/how-we-use-your-personal-information-and-your-right-to-access-it.aspx</a><br><br>Public Health Service Team (commissioning)<br>Via: Public Health Admin<br><a href="mailto:PHAdmin@lancashire.gov.uk">PHAdmin@lancashire.gov.uk</a> |
| <b>Service Provision</b>                             | <b>Information Governance Contact Details</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>School Nursing and NCMP</b><br>Schools in Lancaster, Fylde and Wyre                                                                                | Blackpool Teaching hospital<br>Information Governance Department<br>Blackpool Teaching Hospitals NHS Foundation Trust<br>Whinney Heys Road<br>Blackpool<br>FY3 8NR<br><a href="mailto:bfwh.pso@nhs.net">mailto:bfwh.pso@nhs.net</a>                                                                        |
| <b>School Nursing and NCMP</b><br>Schools in Preston, Chorley, South Ribble, West Lancashire, Burnley, Hyndburn, Pendle, Rossendale and Ribble Valley | Lancashire Care Foundation NHS Trust:<br>The Data Protection Officer<br>Sceptre Point, Sceptre Way<br>Walton Summit<br>Bamber Bridge<br>Preston<br>PR5 6AW<br>01772 695300<br><a href="mailto:Freedom.OfInformationRequests@lancashirecare.nhs.uk">Freedom.OfInformationRequests@lancashirecare.nhs.uk</a> |
| <b>Dental screening service over Lancashire</b>                                                                                                       | Pennine Care Foundation Trust<br><a href="mailto:pcn-tr.dpo@nhs.net">pcn-tr.dpo@nhs.net</a><br>0161 716 3991                                                                                                                                                                                               |
| <b>Vision Screening</b><br>Schools in Preston, Chorley, South Ribble, West Lancashire, Burnley, Hyndburn, Pendle, Rossendale and Ribble Valley        | East Lancashire Hospitals Trust<br>Data Protection Officer, Royal Blackburn Teaching Hospital,<br>Haslingden Rd, Blackburn, BB2 3HH.<br><a href="mailto:IG-Issues@elht.nhs.uk">IG-Issues@elht.nhs.uk</a>                                                                                                   |
| <b>Vision screening</b><br>Schools in Lancaster, Fylde and Wyre                                                                                       | Blackpool Teaching hospital<br>Information Governance Department<br>Blackpool Teaching Hospitals NHS Foundation Trust<br>Whinney Heys Road<br>Blackpool<br>FY3 8NR<br><a href="mailto:bfwh.pso@nhs.net">mailto:bfwh.pso@nhs.net</a>                                                                        |

Lancashire County Council is a registered data controller with the Information Commissioner's Office. You can [search the register of data controllers](#) (external link) to find out more about:

- Reasons/purposes for which we process information
- Type/classes of information we process
- Who we process information about
- Who we may share information with

## Your rights

Lancashire County Council's full [privacy notice](#) contains further information about [your rights](#) under GDPR, how to make a [compliment, comment or complaint](#) and the council's [Data Protection Officer](#). It also contains information about the [Information Commissioner's Office](#).



