

Free School Meals auto-enrolment Privacy Notice

When processing your personal, special category personal or criminal/law enforcement data, Cumberland Council ('the council') is required under Articles 13 and 14 of the UK General Data Protection Regulation (UKGDPR) to provide you with the information contained in this Privacy Notice.

This notice explains what the council will collect, who it will be shared with, why we need it and how we will use it. The council will continually review and update this Privacy Notice to reflect service changes, feedback from customers and changes in the law.

The council is also required to comply with the data protection principles as laid out in the UKGDPR, to ensure that personal data is:

- processed lawfully, fairly and in a transparent manner
- collected for specific, explicit, and legitimate purposes
- adequate, relevant, and limited to the purposes for which it was collected
- accurate and up to date
- kept for no longer than is necessary for the purpose(s) for which it was collected
- secured using appropriate technical or organisational measures

Local Government Reorganisation (LGR)

On 1 April 2023, Cumberland Council replaced Allerdale Borough Council, Carlisle City Council and Copeland Borough Council, as well as services previously delivered by Cumbria County Council.

Local Government Reorganisation is a complex process and there will be a period of transition to allow for services and support systems to be securely transferred. During this time existing arrangements for data processing will be maintained until they can be reviewed, and new Privacy Notices issued. Individuals wishing to understand more about how their data is processed should refer to the following Privacy Notices:

[Allerdale Borough Council](#)

[Cumbria County Council](#)

[Carlisle City Council](#)

[Copeland Borough Council](#)

Registration

As an organisation that processes large amounts of personal, special category personal or criminal/law enforcement data, referred to in legislation as a data controller, the council is required to register with the Information Commissioner's Office (ICO)

Name: Cumberland Council

Address: Cumbria House, 117 Botchergate, Carlisle,

Cumbria, CA1 1RD

Registration Number: ZB512758

[Information Commissioner's Office: Cumberland Council Registration Certificate](#)

About the Service

Free School Meals are a statutory benefit available to school-aged children from families who receive certain qualifying benefits.

Cumberland Council administers the Free School Meal scheme for eligible children in Cumberland on behalf of the Government.

Data Controller Arrangements

In most cases Cumberland Council is the data controller, however there may be instances where data is shared with another party as joint Data Controllers, or where the Council is operating as a data processor for another party.

What is personal data?

UKGDPR Article 4 defines personal data as: any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

What is special category personal data?

UKGDPR Article 9 defines special category personal data as: racial or ethnic origin, political opinions, religious or philosophical beliefs, or 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.

What is criminal/law enforcement data?

The council is a competent authority as described in Schedule 7 of the Data Protection Act 2018 and is permitted to process data for law enforcement purposes that include: the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.

What information does the council collect about me?

We need to collect your personal data in order to provide these services, which may include:

- Your contact details (name, address, telephone number and email address)
- Details about you (date of birth, national insurance number and gender)
- Details about your child (name, date of birth, gender, school and year group)

If you have declared a partner on your claim for benefits we may also use details about them (date of birth, national insurance number and gender) to ensure we have matched the correct family on our systems.

How does the council collect data about me?

We carry out a data matching exercise each year to identify children who might be entitled to Free School Meals. Families should contact their children's schools for further information

If you apply for a Free School Meal online, you provide this information to us directly. Someone else (for example school staff, a social worker, your GP or Citizens Advice Bureau) can also apply on your behalf.

Your personal information is only used for a specified purpose(s) but if we intend to use it for any other new purposes we will normally ask you first. For instance in some cases, the Council may wish to use your information for another purpose such as related to improving and developing services, or to prevent or detect fraud. In any event our processing will always have a demonstrable lawful basis. Where practicable and reasonable we will always seek to inform you of any significant proposed changes to how we process or intend to process your personal data, in order to ensure full transparency over how we handle your information.

Why does the council collect my personal data?

We use your personal data to

- Check whether your child is eligible for Free School Meals
- Notify your child's school of their entitlement to Free School Meals
- Deal with any complaints or concerns
- Detect fraud and protect public funds

Under data protection law, we need to have a lawful basis to process personal data. We are required by law to provide Free School Meals to eligible children in Westminster under Section 512 of the Education Act 1996. The local authority has the "general power of competence" under Section 1 of the Localism Act 2011 to auto-enrol children eligible for Free School Meals.

Under the UK GDPR, the lawful basis that applies to the processing of personal data in relation to these services is [Article 6\(1\)\(e\)](#) Public task. The condition to process sensitive data (special category under GDPR) will be [Article 9\(2\)\(g\)](#) reasons of substantial public interest. The relevant substantial public interest condition under the [Data Protection Act 2018](#) is Schedule 1, Part 2 Para 6: statutory etc and government purposes.

Who does the Council share personal data with?

We will share information with:

- Your child's school or to let them know that your child has been awarded a Free School Meal
- The Department for Education's Free School Meals eligibility checking service

Transferring data outside of the European Economic Area

We do not transfer any personal data outside of the European Economic Area (EEA). All personal data collected and processed by us is stored and maintained within the EEA, ensuring compliance with applicable data protection laws, including the UK GDPR.

If you have any questions about our data storage and transfer practices, please contact us using the details provided in this Privacy Notice.

Data Security and Retention

The council is required by [UKGDPR Article 32](#) to ensure that appropriate organisational and security measures are in place to protect your personal, special category personal or criminal/law enforcement data.

Security measures include: anonymisation, pseudonymisation, encryption, access controls on systems, regular testing of our systems, security training for all employees and internal policies and procedures. You can find further information in the following documents:

[Information Security Policy](#)

[Data Protection Policy](#)

[PSN Connection Compliance Certificate](#)

If you access information online, the council website does not store or capture personal information, but merely logs a number called your IP address which is automatically recognised by the system. The system will record personal information if you:

- subscribe to or apply for services that require personal information
- report a fault and give your contact details for us to respond
- contact us and leave your details for us to respond

For further information visit our [Cookies Policy](#).

Cumberland Council will only store your information for as long as is legally required, in accordance with the initial purpose of collection, and in accordance with the council's [Retention and Disposal Schedule](#), or in situations where there is no legal retention period established best practice will be followed.

When calculating the appropriate retention period for your data, we consider the nature and sensitivity of the data, the purposes for which we are processing the data, and any applicable statutory retention periods. Using these criteria, we regularly review the Personal Data which we hold and the purposes for which it is held and processed.

When we determine that Personal Data can no longer be retained (or where we must comply you request us to delete your data in accordance with your right to do so) we ensure that this data is securely deleted or destroyed.

To help you understand the Schedule the council has published a [Retention Schedule - Quick User Guide](#).

If you have any questions about the Schedule or the Quick User Guide, please contact recordcentre@cumberland.gov.uk.

If you experience any problems in relation to your personal data or you see something that doesn't look right, contact the council by email at: databreaches@cumberland.gov.uk.

Contacting the Council

Emails

If you email us, we may keep a record of your contact and your email address and the email for our record keeping of the transaction. We suggest that you keep the amount of confidential information you send to us via email to a minimum and use our secure online forms and services. Where available, you can sign up for email alerts for selected services using an external service from GovDelivery, with control over your preferences.

Telephone Calls

The council will inform you if your telephone calls are being recorded or monitored and will not record any financial card details if you make payments by telephone.

Your Rights

You have rights under the data protection legislation and, subject to certain legal exemptions, we must comply when you inform us that you wish to exercise these rights. There is no charge, unless your requests are manifestly unfounded or excessive. In such circumstances, we may make a reasonable charge or decline to act on your request. Before we action your request, we may ask you for proof of your identity. Once in receipt of this, we will process the request without undue delay and within one calendar month. In order to exercise your rights please contact the Data Protection Officer at Email: dataprotection@cumberland.gov.uk
Post: Cumbria House, 117 Botchergate, Carlisle, Cumbria, CA1 1RD

You can contact us if you wish to complain about how we collect, store and use your Personal Data. It is our goal to provide the best possible remedy with regard to your complaints.

However, if you are not satisfied with our answer, you can also contact the relevant competent supervisory authority. In the UK, the relevant supervisory authority is the ICO, contact details of which can be found below.

Your rights in connection with personal information are set out below:

Subject Access Request - You have a right to receive a copy of all the Personal Data we hold about you.

Rectification - If any of the Personal Data we hold about you is incomplete or inaccurate, you have a right to have it corrected.

Erasure - This is also known as the “right to be forgotten”. You have a right to ask us to delete your Personal Data where there is no good reason for us continuing to process it. However, certain criteria apply and if we have a legitimate reason to continue processing your personal data, we will not be legally required to delete it.

Objection - You have a right to object where we are relying on legitimate interests as our legal basis for processing your Personal Data but, in certain circumstances we may be able to continue with the processing. For example, if we have compelling legitimate grounds which override your interests, rights and freedoms or your personal information is needed for the establishment, exercise or defence of legal claims. However, you have an absolute right to object to us processing your Personal Data for direct marketing purposes.

Restriction - You have a right to ask us to restrict the processing of your Personal Data in certain circumstances. For example, you may require us to suspend processing information about you whilst checks are made to ensure it is accurate.

Portability - You have the right to ask us to transfer any Personal Data you have provided to us to another party, subject to certain criteria being satisfied. We will provide this Personal Data in a structured, commonly used and machine-readable format.

Right to withdraw consent - If you have given us your consent for the processing of your Personal Data, you can withdraw this at any time. Please note, the withdrawal has no effect on the legality of the data processing carried out in the past on the basis of your consent. To exercise your right to withdraw consent contact us at Email: dataprotection@cumberland.gov.uk
Post: Cumbria House, 117 Botchergate, Carlisle, Cumbria, CA1 1RD

Right to complain - If you are unhappy with the way in which your personal information has been or is being processed, you have the right to make a complaint about it to the Information Commissioner’s Office (ICO). They can be contacted at:

Information Commissioner’s Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

www.ico.org.uk

Verifying Your Identity

When exercising the rights mentioned above, please be aware that under UKGDPR Article 12(6) additional information can be requested to verify that you are the data subject if your identity is unconfirmed. Please note that:

- additional documentation is only required when the council cannot verify your identity using internal council systems that relate to the service you are requesting information about
- the council will contact you for this documentation prior to processing your request
- the statutory deadline for responding to your request will start when you have provided the additional documentation
- failure to provide additional documentation may lead to the council rejecting your request.

Complaints

If you have concerns about the way the council has processed your data, please contact:

Email: dataprotection@cumberland.gov.uk

Post: Cumbria House, 117 Botchergate, Carlisle, Cumbria, CA1 1RD

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

Changes to this Privacy Notice

We reserve the right to update this Privacy Notice from time to time. Updates to this Privacy Notice will be published on our website. To ensure you are aware of when we make changes to this Privacy Notice, we will amend the revision date at the top of this page. Changes apply as soon as they are published on our website. We therefore recommend that you visit this page regularly to find out about any updates that may have been made.