

## Privacy notice for FSM opt-out auto-award

Gloucestershire County Council and your child's school act as 'data controllers' for the personal information we collect from you. All information processed by the council is covered by our [Data Protection Policy](#). This privacy notice should be read alongside Gloucestershire County Council's [Children's services privacy notice](#).

This privacy notice is designed to help you understand how the Free School Meals (FSM) team will use and process your information to administer the free school meals opt-out auto-award scheme. The details will outline:

- Why we collect and use your information;
- Where we get your data from and who we will share it with;
- What gives us the right to use your information;
- How long we will keep your information; and
- Your rights

### 1. Why we collect and use your information

We need your data to fulfil our obligations set out under the Education Act 1996, this places a statutory duty on local authorities and schools to provide FSM to eligible pupils. Children are entitled to a FSM if their parents receive certain qualifying benefits. Gloucestershire County Council (GCC) is introducing a system to identify pupils who are entitled to benefit-related FSM but not yet registered.

We process personal information under the following lawful bases:

- UK GDPR Article 6(1)(e): Processing is necessary to perform a task in the public interest or for our official functions, with a clear basis in law.

We will do this by securely matching pupil and benefits data, so that more children can be registered for FSM in time for the School Census. Families will be given the opportunity to opt out of this process.

If parents or carers do not opt out, their child will be enrolled to receive FSM as part of the School Census.

### 2. What information we collect about you

We process personal information that GCC already holds, including:

- Parent/carers' full name
- Parent/carers' home address and contact details
- Parent/carers' date of birth
- Parent/carers' national insurance number and details of benefits claimed
- Child's name

- Child's date of birth, school or academy attended

### **3. Where we get your data from and who we share it with**

Data is collected from the School Census and parent/carer records from schools and academies. We will match this to data from the Department for Work and Pensions (DWP) to confirm entitlement.

We will share your personal data with the following organisations and partners:

- Your child's school
- Other departments within this GCC as deemed necessary for this project
- The Department for Education (DfE) as part of the School Census and Benefits registration process.

We do this to:

- Check whether your child is eligible for FSM
- Notify you of your child's entitlement and give you the opportunity to opt out of this exercise
- If you don't opt out, notify your child's school of their entitlement so they can register your child for FSM
- Carry out regular checks to confirm ongoing eligibility
- Respond to queries or concerns

### **4. How long we keep your information for**

GCC will keep your personal data for 6 years (until the end of a child's time in secondary education). We are required to keep this information for this long as per our corporate retention schedule and to also ensure eligibility to FSM service is available.

We may keep your information for longer than is stated in certain circumstances such as if you have an open complaint about the services received, for evidence to defend legal claim or if we are required to by law.

To find further information on how long we keep your information, you can read our retention and disposal schedule at [www.gloucestershire.gov.uk/retention](http://www.gloucestershire.gov.uk/retention)

### **5. How to contact us**

Please contact us if you have any questions about this privacy notice:

By email: [edsupport@gloucestershire.gov.uk](mailto:edsupport@gloucestershire.gov.uk)

In writing: Free School Meals, Gloucestershire County Council, Shire Hall, Gloucester, GL1 2TP

By telephone: 01452 425390

## 6. Your rights

Under the Data Protection Act 2018 and the EU General Data Protection Regulations (GDPR) you have the right to:

- Right to access to your own personal data.
- Right to correct inaccurate information
- Right to object to the processing of your personal data.

### Opting out

Under Article 21 GDPR, you have the right to object to this processing of your personal data at any time. Parents or carers may object within 7–14 days of receiving opt-out communications. If you decide to object, your response will be documented, and your child(ren) will be removed from the dataset, and you will not receive any further communications. However, we recognise that families' financial/life circumstances might change across the year. If a child is still entitled (and not registered) 2-years after the first opt out letter, parents/carers will need to reconfirm their wish to opt out of the service.

Opt-out communications will be sent via post from GCC School Admissions. As a parent/carers, you will have 7 days from the point of receipt to opt-out of automatic FSM enrolment.

As a local authority, GCC has a statutory duty to provide FSM to eligible pupils. We understand that circumstances can change, therefore we reserve the right to contact you again after a 2-year period to refresh your decision to opt out.

## 7. Using your rights

If you wish to use any of your rights, detailed in section 6, please contact us using one of the methods below:

**Online at** [your information rights](#)

**Email to** [Managemyrequests@gloucestershire.gov.uk](mailto:Managemyrequests@gloucestershire.gov.uk)

### In writing to

Information Management Service  
Gloucestershire County Council  
First Floor, Block 4(a)  
Shire Hall, Westgate Street  
Gloucester  
GL1 2TG

You can contact GCC's Data Protection Officer, via the Information Management Service, by emailing [dpo@gloucestershire.gov.uk](mailto:dpo@gloucestershire.gov.uk) or by calling 01452 324000.

### **Making a complaint to the Information Commissioner**

If you wish to make a complaint about how we use your personal data to the Information Commissioner's Office, you can contact them by visiting their website at <https://ico.org.uk/> or by calling 0303 123 1113.

### **8. Document Information**

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