

Free School Meals – Privacy Notice

Data Protection Law – Consent

Under data protection law, Sandwell Council needs your consent to process your personal data for the purpose of processing your application for Free School Meals.

You are not obliged to give this data, and if you refuse it will not affect any other dealings you have with the Council.

How information about you will be used

You can choose whether to make an application for Free school meals for your child and you will be asked for consent for the use of the information required as part of that process at the time of making the application.

The DfE provides an online Free School Meal Eligibility Checking Service (FSM ECS) which allows local authorities to check whether pupils in their area are entitled to free school meals as part of the application process. The system checks information held by the relevant government departments and gives a speedy response, meaning a claim made on the FSM ECS one morning can result in a pupil getting their first free meal the next day. However, the ECS is only available to LAs, and the service management and infrastructure have been developed on that basis. The majority of academies in Sandwell have come to an agreement with Sandwell LA to carry out checks on their behalf.

If your free school meals application is successful, ongoing eligibility checks will be made to make sure your child is still eligible, this is a requirement placed on us by the DfE. The frequency of these checks will depend on the reason for eligibility and will be affected by the change to Universal Credit. During the rollout of universal credit, if you receive a letter explaining that your child will remain eligible for free school meals until the end of the 2025/26 school year, eligibility checks will recommence after that period. For applications where this is not the case, then monthly eligibility checks will be carried out.

Where an application is refused, and you have given consent to do so, eligibility checks will continue to be made on a monthly basis until your child leaves school, this is to establish whether your child becomes eligible for free school meals in the future and allows us to alert you to make a further application.

Once a free school meal has been granted a flag indicating free school meal eligibility is used as part of statutory returns to the DfE and will form part of the main pupil record held by the local authority. Statistics based on free school meal eligibility have an impact on the funding received by a school, for example through pupil premium funding.

Information about a pupil's eligibility for free school meals is shared with the pupil's current school, their future schools and the DfE for funding purposes, statistical analysis, and to allow schools to provide appropriate support to their pupils.

The application form will be retained for a period of 7 years for financial purposes but the electronic record will be retained by the Local Authority as part of the pupil record until the pupil is 25.

You are not obliged to give this data, and if you refuse it will not affect any other dealings you have with the Council.

Who we are

The council has a dedicated officer to make sure we respect your rights - this is the Data Protection Officer. The primary role of the data protection officer (DPO) is to ensure that the council processes the personal data of its staff, customers, providers or any other individuals in compliance with the applicable data protection rules.

If you have any concerns with how the council is processing your personal information, then you can contact the Data Protection Officer in writing or by email:

Office of the DPO
Sandwell Council,
Freeth Street,
Oldbury
B69 3DE.

The Data Protection Officer can be contacted at the above address and through email at dp_officer@sandwell.gov.uk

As a Public Authority we do not have a representative in any other member states of the EU.

Your Rights

You are entitled to know what personal data Sandwell Council is processing about you. If you want to obtain the data, or if you want to exercise any of your other rights about the processing of the data, you can contact the Data Protection Officer – contact details above.

You have the right to:

- have your personal data corrected if it is inaccurate or incomplete.
- ask for your personal data used for this purpose to be erased (even if you have previously given consent for the data to be processed by Sandwell Council).
- ask for your personal data to be supplied in a commonly used format, where the processing is carried out by automated means, so it can be sent to another organisation.

You can also ask for the processing of your personal data to be restricted if:

- it is inaccurate.
- it is unlawful but you do not want it to be deleted.
- it is due to be deleted but you require it kept because of a legal claim.

- you have objected to the processing of the data and you are waiting for a decision about the objection.

You can ask the council to stop processing your data at any time by withdrawing your consent. You can do this by the same method you gave us the information or by contacting the Data Protection Officer.

For more information about your rights you can contact the Information Commissioner's Office, which is the supervisory authority for the United Kingdom.

Contact details are:

- www.ico.org.uk
- Email: casework@ico.org.uk
- Tel: 0303 123 1113
- Write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF