**School Pilot Attendance Project - Issues raised by School in January 2021**

**School does not have the GP details for pupils.**

This would need to be addressed by each individual school in how it approaches this issue with parents. School should follow their own policies for obtaining medical information for the safety of their pupils and have their own pathway to follow if parents refuse consent.

**Can schools share the attendance rates with GP surgeries?**

No - Under current GDPR regulations they can’t. School will need to make changes to how they collect medical information and GP details from parents/guardian. They may also need to look at their Privacy policy.

**How to address the issue of sharing information with GP surgeries.**

Under GDPR regulations school can not apply a “blanket policy” of sharing lists of attendance data with GP surgeries.

**In order to share attendance data with GPs the following changes/considerations MUST be made.**

* Each case of persistent absenteeism must be looked at individually to see if medical illness is a reason cited or is part of the reasons cited for absence.
* To share details of attendance rate with GP consent must be sought from the parents/guardians of the child
* If consent is refused then schools would need to individually assess the level of harm the absenteeism is causing and then refer upwards through its usual safeguarding/educational welfare officer processes. School would still not be able to share this information with the GP however the local authority may then be able to share this information if a case is being put together for persistent absenteeism and a child is thought to be at risk of educational neglect.
* School have a public task condition which derives from Section 175 of the Education Act 2002 in that they have a duty to identify unexplained absences, which could include verification of absences claimed as sickness. Under these conditions they could ask parents to provide supportive medical evidence from their GP or hospital consultant for school.
* For full transparency and best practice the school Privacy Notice should reflect this process to show Article 5 compliance to data being processed in a ‘transparent” manner.’

**How can this be achieved?**

On gathering details of the GP surgery which the child is registered at there would need to be a paragraph added along the lines of the following:

**We are asking for this information for the following reasons:**

\*School to insert usual reasons\* then in addition:

“If your child’s attendance rate/level meets the criteria for persistent absenteeism (less than 90%) or your child has absences where the reason has not been verified (eg medical sickness,) putting your child’s educational development at risk, we may share your child’s attendance rate with your GP and/or ask you to contact your GP to provide supporting medical evidence.”

* At this point you can also ask for parental consent to share this information with the GP or could say “By giving this information you are automatically giving your consent for this information to be used for the above purpose. If you wish to withdraw your consent at any time, please notify the school in writing.”
* Schools may need to update their own GDPR policy to reflect this, or their medical information form and/or privacy policy.
* For best practice schools should inform parents when/if they have done this.

If these changes/considerations are made then schools will be able to share the attendance data of those pupils who are persistent absent with medical reasons cited with that pupils GP.