

Overarching Privacy Notice for Children's Wellbeing Services

(covering:- MASH; Assessment; Court & CP; CIN – Family Support; Fostering; Adoption; LAC, LAC Support; 16+; Practice Educators; S&R; CWD; Commissioning; BST)

Information Held About you

In order to make informed decisions regarding the safety and wellbeing of a child or young person and to make appropriate services available to you, it is necessary for us to collect and hold personal information about you. This information may relate to you, your family and any other persons in your household. Data will include:

- Basic details about you and your family such as address, telephone number, email address, NHS number, national insurance number (for young people supported by 16+ team only)
- Relevant personal sensitive information such as religion, ethnic origin, disability status, education, marital status, offences (including alleged offences), criminal record, parenting styles and behaviours, substance use, employment details
- Financial and benefit information where it is relevant, i.e. where you are being supported by the 16+ team or for budgeting support
- Where you are being supported by the 16+ team information will be sought and recorded about your work placement and housing situation to help us identify the support you require
- Contact we have had with you, such as home visits and meetings
- Assessments and reports and correspondence regarding you, your family and those who live in your home; both written by us and provided by third party agencies

The third party agencies referred to above may include health professionals, police, educational establishments, advocacy services and any other organisation with whom you are currently or historically been involved with.

Who is processing my data?

All personal data held, is processed in accordance with data protection law. The Data Controller for the information outlined in this privacy notice is Herefordshire Council.

Hoople Ltd are the data processors who will process any financial information, if relevant, on behalf of the council.

How will we use the Information we hold about you?

We will collect information about you, your family and those living in your home (where applicable) to make informed decisions regarding the safety and wellbeing of a child or young person; to provide a statutory service for provision of care for all Looked After children; to keep children safe and to meet the needs of the child.

What is the legal basis for us to process your data?

The legal basis for processing the data is our legal obligations for social care provision, and the necessity for the performance of a task carried out in the public interest or in the exercise of official authority vested in the social care department. We may also process data on occasion to protect the vital interests of individuals.

The statutory legal obligation is covered by a variety of legislation which includes the Children Act 1989 & 2004; Working Together 2015 & 2017; Adoption Agency Regulations; Care leavers act 2001; Children and Social Work Act 2017; Care Act; Equality Act 2010; Children & Family Act; Code of Practice for SEN; Care Planning, Placement & Case Review Regulations 2010; Fostering National Minimum Standards

Where the statutory requirements apply social care is obliged to process personal data for the purposes outlined above.

Who we will share your information with

We may share information about you or your family with partner organisations where relevant and appropriate or where safeguarding concerns are raised. These organisations may include:-

- Health professionals such as GPs; midwifery services; health visitors; school nurses; community nurses. Where relevant this may also include specialist health professionals who may be currently involved with you, your family and any other person living in your home, or those to whom a referral is being made on your behalf. This may include specialist mental health services, psychologist etc
- Police may be approached for relevant information to enable appropriate decisions to be made about the safety and security of you, your family and any other person living in your home. This will include full disclosures of criminal history and sentencing. Sensitive information will only be shared if it is relevant.
- Educational establishments including nurseries, schools and colleges. Information gathered will include attendance and achievement records, wellbeing and behavioural issues and relationships with you, your family and any other person living in your home.
- Advocacy services where this is relevant to comply with the local authorities legal responsibility to ensure that you child is appropriately supported.
- If you tell us that you and your family are currently working with any other organisations we will approach them for information to ensure that we have a full picture of the current and historical situation for you and your family. This may include Youth Offending Teams, domestic violence services, NSPCC etc.
- All relevant departments within our own authority such as Special Educational Needs services; family support services, other social work teams, adult services. Some services may be not be internal to the authority and may be completed under contract so information will be provided to the services to enable them to fulfil their contract and provide services to you. I.e. Hoople for finance services for the Council.
- Where your care provision requires relief or short break care, your details will be provided to ensure appropriate levels of service are maintained for you and your family.
- If there are any concerns of a safeguarding nature and you have moved from our area, we may be contacted by your new local authority and social work teams. We will share relevant information with them.

- Subject to strict agreements describing how it will be used, the information we gather may be shared with any of the multi-agency professionals working with you and your family or those to whom we make a referral on your behalf.

If there are no safeguarding concerns, we will not normally share your information with organisations other than our partner organisations without your agreement, however, there may be certain circumstances where we would share without agreement such as where we are required to do so by law, to safeguard public safety, and in risk of harm or emergency situations. Any information which is shared will only be shared on a need to know basis, with appropriate individuals. Only the minimum information for the purpose will be shared.

How long do we keep your records

We will only keep your information for the minimum period necessary. All information will be held securely and destroyed under confidential conditions.

The retention of social care records follows standard practice set out by the Information and Records Management Society of Great Britain:

Common Assessment Framework (CAF) Records	
CAF record	6 years after closure (unless family has contact with social care and the CAF then becomes part of the social care record)
Children's Social Care Records	
Contact not progressed after referral	6 years after closure
Child in Need	10 years after case closure
Strategy Meetings and Child Protection records	35 years after case closure
Child with disabilities	75 years after case closure
Children in Care	75 years after closure
Fostering Records	
Applications from prospective foster carers (not approved)	3 years after closure
Approved foster carer records	10 years after ceasing to foster
Looked after children records	75 years after closure
Child privately fostered	25 years after closure
Adoption Records	
Adopted children including step-parent and non-agency adoption	100 years
Applications from prospective adopters (not approved)	25 years after closure
Approved adopters	100 years after closure

The entire record for the child or young person will be retained for the maximum retention period relevant for that file. If you would like further clarification on how retention periods are applied, please discuss this with your worker.

Your rights

You have a number of rights under data protection law, including the right to request your information and to request that the information be amended or erased if incorrect. Mistakes can be rectified however where your opinion of the information held on record differs from that of the professional, this will be recorded as an addendum to the report. Your opinion will be shared whenever the report is shared, however the report can only be amended where there is a factual inaccuracy.

To request your records, you can do so verbally or in writing. You can inform your social worker, or send your request and provide proof of identification to the Information Governance Team, Herefordshire Council, Plough Lane, Hereford HR4 0LE or via email, informationgovernance@herefordshire.gov.uk

You also have a right to make a complaint about our handling of your personal data to the Information Commissioner's Office <https://ico.org.uk/>

Providing Accurate Information

It is important that we hold accurate and up to date information about you in order to assess your needs and delivery the appropriate services. If any of your details have changed, or change in the future, please ensure that you inform us as soon as possible so that we can update your records.

Further information

If you have any questions or concerns about how your information is used, please contact your social worker in the first instance. You can also contact the Data Protection Officer, Carol Trachonitis, at Herefordshire Council, Plough Lane, Hereford HR4 0LE, telephone (01432) 260616, email: informationgovernance@herefordshire.gov.uk

More information about data protection and how it applies to you can be found on the council web site at https://www.herefordshire.gov.uk/info/200148/your_council/15/access_to_information/4 and on the Information Commissioner's Office website at <https://ico.org.uk/>