



PRIVACY NOTICE FOR FOSTER CHILDREN

In accordance with the General Data Protection Regulation (GDPR), we have implemented this privacy notice to inform you, as a child within our care, of the types of data we process about you. We also include within this notice the reasons for processing your data, the lawful basis that permits us to process it, how long we keep your data for and your rights regarding your data.

This notice applies to current and former foster children.

A) DATA PROTECTION PRINCIPLES

Under GDPR, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- a) processing is fair, lawful and transparent
- b) data is collected for specific, explicit, and legitimate purposes
- c) data collected is adequate, relevant and limited to what is necessary for the purposes of processing
- d) data is kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
- e) data is not kept for longer than is necessary for its given purpose
- f) data is processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- g) we comply with the relevant GDPR procedures for international transferring of personal data

B) TYPES OF DATA HELD

We keep several categories of personal data on our children in order to carry out effective and efficient processes. We keep this data in a file relating to each child and we also hold the data within our computer systems.

Specifically, we hold the following types of data:

- a) Statutory Care Plan
- b) Looked After Child Medical Report
- c) Other Health Report
- d) Record of Immunisations
- e) Details of Health including:
 - i) Health related routines
 - ii) NHS Number
 - iii) GP Details

- iv) Other Medical Professionals Details
- f) Education Health and Care Plan
- g) Personal Education Plan
- h) Special Educational Needs
- i) School Reports
- j) Risk Assessment and Behaviour
- k) Incident Forms
- l) Body Maps
- m) Accident Forms
- n) Referral Form
- o) Placement Information Record
- p) Daily Recordings
- q) Agency Placement Plan
- r) Delegated Authority Form
- s) Matching Form
- t) Medical Consent
- u) Respite Notification Form
- v) Safer Caring Policy
- w) Every Child Matters Monthly Reports
- x) Consents regarding safeguarding and care
- y) Looked After Child Review Report and Minutes
- z) Looked After Child Chairs Report
- aa) Children's Feedback for Annual Reviews
- bb) Children's feedback to Supervising Social Workers
- cc) Exam Results
- dd) School Details
- ee) Placement Details
- ff) Return Home Interview Form
- gg) Child Placement List

C) COLLECTING YOUR DATA

You provide several pieces of data to us directly during the initial assessment period and subsequently upon the start of your placement.

In some cases, we will collect data about you from third parties, such as fostering agencies or former carers.

Personal data is kept in electronic files or within the Company's IT systems.

D) LAWFUL BASIS FOR PROCESSING

The law on data protection allows us to process your data for certain reasons only. In the main, we process your data in order to comply with a legal requirement, Compliance with relevant regulations, provide best quality care and provide continuity of care.

E) SPECIAL CATEGORIES OF DATA

Special categories of data are data relating to your:

- a) health
- b) sex life
- c) sexual orientation
- d) race

- e) ethnic origin
- f) political opinion
- g) religion
- h) trade union membership
- i) genetic and biometric data.

We carry out processing activities using special category data:

- a) for the purposes of equal opportunities monitoring
- b) to determine reasonable adjustments

Most commonly, we will process special categories of data when the following applies:

- a) you have given explicit consent to the processing
- b) we must process the data in order to carry out our legal obligations
- c) we must process data for reasons of substantial public interest
- d) you have already made the data public.

F) WHO WE SHARE YOUR DATA WITH

Employees within our company who have responsibility for initial assessments, placements, administration of payment and contractual benefits and the carrying out performance related procedures will have access to your data which is relevant to their function. All employees with such responsibility have been trained in ensuring data is processing in line with GDPR.

Data is shared with the following people:

- i) Local Authority
- ii) Progress Employees as required
- iii) Agency staff as required
- iv) School/ College
- v) Compliance Officers
- vi) Regulation 35 inspector
- vii) Ofsted
- viii) Relatives as appropriate
- ix) NHS Professionals
- x) Other agencies as required i.e. LADO on a need to know basis

We hold and may share your data so we are compliant with relevant regulations, provide best quality care and provide continuity of care.

We may also share your data with third parties as part of a Company sale or restructure, or for other reasons to comply with a legal obligation upon us. We have a data processing agreement in place with such third parties to ensure data is not compromised. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

We do not share your data with bodies outside of the European Economic Area.

G) PROTECTING YOUR DATA

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such.

H) RETENTION PERIODS

We only keep your data for as long as we need it for though in some cases we will keep your data for a period after your placement has ended. Some data retention periods are set by the law. Retention periods can vary depending on why we need your data, as set out below:

Record pertaining to Foster Children	Recommended Retention Period
Statutory Care Plan	75 years unless child passes away (15 years after death)
Looked After Child Medical Report	75 years unless child passes away (15 years after death)
Other Health Reports	75 years unless child passes away (15 years after death)
Record of Immunisations	75 years unless child passes away (15 years after death)
Details of Health including: Health related routines NHS Number GP Details Other Medical Professionals Details	75 years unless child passes away (15 years after death)
Education Health and Care Plan	75 years unless child passes away (15 years after death)
Personal Education Plan	75 years unless child passes away (15 years after death)
Special Educational Needs	75 years unless child passes away (15 years after death)
School Reports	75 years unless child passes away (15 years after death)
Risk Assessment and Behaviour	75 years unless child passes away (15 years after death)
Incident Forms	75 years unless child passes away (15 years after death)
Body Maps	75 years unless child passes away (15 years after death)
Accident Forms	75 years unless child passes away (15 years after death)
Referral Form	75 years unless child passes away (15 years after death)
Placement Information Record	75 years unless child passes away (15 years after death)
Daily Recordings	75 years unless child passes away (15 years after death)

Agency Placement Plan	75 years unless child passes away (15 years after death)
Delegated Authority Form	75 years unless child passes away (15 years after death)
Matching Form	75 years unless child passes away (15 years after death)
Medical Consent	75 years unless child passes away (15 years after death)
Respite Notification Form	75 years unless child passes away (15 years after death)
Safer Caring Policy	75 years unless child passes away (15 years after death)
Every Child Matters Monthly Reports	75 years unless child passes away (15 years after death)
Consents regarding safeguarding and care	75 years unless child passes away (15 years after death)
Looked After Child Review Report and Minutes	75 years unless child passes away (15 years after death)
Looked After Child Chairs Report	75 years unless child passes away (15 years after death)
Children's Feedback for Annual Reviews	75 years unless child passes away (15 years after death)
Children's feedback to Supervising Social Workers	75 years unless child passes away (15 years after death)
Exam Results	75 years unless child passes away (15 years after death)
School Details	75 years unless child passes away (15 years after death)
Placement Details	75 years unless child passes away (15 years after death)
Return Home Interview Form	75 years unless child passes away (15 years after death)
Child Placement List	75 years unless child passes away (15 years after death)

I) AUTOMATED DECISION MAKING

Automated decision making means making decision about you using no human involvement e.g. using computerised filtering equipment. No decision will be made about you solely on the basis of

automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

J) CHILDREN'S RIGHTS

You have the following rights in relation to the personal data we hold on you:

- a) the right to be informed about the data we hold on you and what we do with it;
- b) the right of access to the data we hold on you. More information on this can be found in the section headed "Access to Data" below and in our separate policy on Subject Access Requests";
- c) the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as 'rectification';
- d) the right to have data deleted in certain circumstances. This is also known as 'erasure';
- e) the right to restrict the processing of the data;
- f) the right to transfer the data we hold on you to another party. This is also known as 'portability';
- g) the right to object to the inclusion of any information;
- h) the right to regulate any automated decision-making and profiling of personal data.

More information can be found on each of these rights in our separate policy on your rights under GDPR.

K) CONSENT

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data.

L) MAKING A COMPLAINT

If you think your data rights have been breached, you are able to raise a complaint with the Information Commissioner (ICO). You can contact the ICO at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303 123 1113 (local rate) or 01625 545 745.

M) DATA PROTECTION COMPLIANCE

Our appointed compliance officer in respect of our data protection activities is:

Vanessa Griffin

VGriffin@progresscare.co.uk

N) SUBJECT ACCESS REQUEST

To make a Subject Access Request (SAR) you should contact Vanessa Griffin on VGriffin@progresscare.co.uk and complete a Subject Access Request Form

Version	Date	Changes	By whom	Review
	Last review April 2018		Emma Ruffinato	