

Children's Safeguarding and Social Care (CSSW) - Privacy notice

The name and contact details of the data controller:

London Borough of Camden
Judd Street
London
WC1H 9JE

The name and contact details of the Data Protection Officer

Andrew Maughan, Borough Solicitor
dpo@camden.gov.uk

Purpose of this privacy notice

This notice provides information for children, young people and parents and carers on why we collect information when we work with families, explaining what information we collect and how it is used, including how we share the information with others.

Why we process information

CSSW has a legal duty to provide social care services to children and families in the borough to safeguard and promote the welfare of children. To do this we will collect, share and process information about children and families who receive our services so that we can:

- support children and monitor their progress
- provide them with pastoral care
- assess the quality of our services
- evaluate and improve our policies on children's social care
- provide a fostering service as a local authority and a member of the Fostering North London Consortium
- provide adoption services as a local authority and a member of the Adopt London North Regional Adoption Agency.

Legal basis for processing information

We may process personal and special category data to comply with our legal obligations to safeguard and promote the welfare of children. Our legal basis for processing is under the following:

- **Children Act 1989** to safeguard and promote the welfare of children in the borough.

- **Children Act 2004** to work in partnership with other agencies to safeguard and promote the welfare of children.
- **Leaving Care Act 2000** to provide services and support for care leavers
- **Fostering Regulations 2011** to provide fostering services to looked after children and foster carers
- **Adoption Agencies Regulations 2005** in order to provide adoption services to adopters, birth families, children and adopted adults.

Categories of personal data we process

The type of personal data we gather includes;

- Name
- date of birth,
- address and contact details
- details of any services provided to children as a child in need, including assessment information, child protection information and episodes of being looked after by Camden and leaving care
- education
- emotional wellbeing, behaviour (including offending behaviour) and general development
- information on parents care of their child
- details of family history, including previous involvement with CSSW or other services
- information on family relationships including the presence of domestic abuse
- information on the family's housing, employment history and finance
- information on extended family
- information on potential foster carers such as personal history, medical history, education and employment history as part of their assessment of suitability and to select the most appropriate foster placement for looked after children
- information on foster carers in relation to meeting their training and support needs and monitoring their performance as foster carers, including details of complaints and allegations and action taken in relation to such complaints and allegations
- information on potential adopters such as personal history, medical history, education and employment history as part of their assessment of suitability in order to match them with specific children.

Special category data

- ethnicity
- religious belief
- information about the child's health
- information about parents, foster carers' and adopter's physical and mental health including, substance misuse or offending behaviour (where necessary to safeguard children and determine suitability to be an adopter or foster carer and continued suitability to foster).

Agencies with whom CSSW has or will share the data

- GPs and health professionals
- Education (including early years)
- Police
- Early Help services
- Probation
- Housing
- Youth offending service
- Mental health services
- Drug and alcohol services
- Voluntary organisations
- Other local authorities
- The Department for Education.

For the purposes of fostering, we will share information with:

- past and present partners and employers as part of the assessment process
- Fostering North London for the purposes of matching
- the courts and anyone party to proceeding where the child is subject to care proceedings.

For the purposes of adoption, we will share information with:

- the adopter's home local authority
- past and present partners and employers as part of the assessment process
- Adopt London North Regional Adoption Agency
- the courts and anyone party to proceedings
- other adoption agencies for the purposes of matching
- Link Maker for the purposes of matching.

We also undertake general data matching or data sharing in certain areas for the prevention or detection of crime.

We do not share information with anyone without consent unless the law and our policies allow us to do so.

Transferring data out of the EU/EEA

We will only transfer data out of the EU/EEA where a child known to CSSW is placed outside of the EU/EEA or goes to live in a country outside the EU/EEA. In these circumstances, CSSW will liaise with the social services department in that country to facilitate the lawful and secure transfer of data.

Storing and retaining personal data

CSSW holds data securely on our electronic case recording system MOSAIC. CSSW will retain data for the periods specified below, either under legislation or as part of good practice, we will use technical and organisation measures to keep information safe and secure.

- Under the Care planning, placement and case review regulations 2010, 'Looked after Children' records are kept for 100 years (from the child's birth).
- Child protection records are kept for 35 years.
- 'Child in Need' records are kept for 25 years from the date the case was closed in line with good practice.
- Under the Fostering Regulations 2011,
 - We hold information about a foster carer for 10 years after the date that their approval is terminated
 - We hold information about a refused or withdrawn application to be a foster carer for 3 years after the refusal or withdrawal.
- Under the Adoption Agencies Regulations 2005,
 - we hold information about an adopted child and their adoptive parents for 100 years i.e. from the date of an adoption order
 - we hold information about adopters who are unsuccessful in their application for approval or who decide not to proceed for 25 years.

Your data subject rights

You have the right to request a copy of the information we hold about you, the right to ask us to rectify, erase or restrict processing of your data, the right to ask for data portability, the right to object to automated decision-making, and if we are relying on consent the right to withdraw consent at any time. There are some exemptions to these rights. Please see the ICO website <https://ico.org.uk/> for more information. To exercise these rights please use our web form

Requesting access to personal data

Under data protection legislation, parents, carers and children have the right to request access to information about them that we hold. Access can be made where it is in the child's best interests and if the child is aged 13 and over with their consent. To make a request for your personal information see our information sharing and access leaflet at:

<https://www.camden.gov.uk/documents/20142/1006758/Information+sharing+leaflet+for+parents+-+interactive.pdf/795e8f10-ff53-e4ec-3448-b050ad2a013a>

Adopted adults may also seek access to adoption records held by Camden under the Adoption Agencies Regulations 2005 but should approach Adopt London North Regional Adoption Agency in the first instance.

The right to lodge a complaint with a supervisory authority

You can complain to the Information Commissioner's Office (ICO) if you are unhappy with how CSSW have handled your personal data. It would be helpful if you contacted us first at dpa@camden.gov.uk to see if we can resolve the problem. You can contact the ICO at casework@ico.org.uk or telephone 0303 123 1113 or post to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Information about whether giving personal data is part of a statutory or contractual requirement or obligation

As part of our approach to working in partnership with families foster carers and adopters, we will seek agreement to gather and share information. However, because of our legal obligation to safeguard children, it is a statutory requirement for us to share information with agencies (listed above) relating to the safety of a child and we may not ask for your agreement to do this.

Automated decision making

CSSW does not use automated decision-making or profiling to process your personal data.

What information is mandatory for you to provide and the consequence of not providing the information

Although it is not mandatory for you to provide information, this will limit the standard of service we can offer. Where there are concerns about the safety and welfare of a child, CSSW do not need consent to share information in order to safeguard the child.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let your social worker know.