**Children’s Safeguarding and Social Care** (**CSSW) - 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.

1. **The name and contact details of the data controller**

London Borough of Camden, Judd Street, London, WC1H 9JE

1. **The name and contact details of the Data Protection Officer**

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

1. **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:

* Provide social care services to children and families in the borough
* Comply with our legal obligations for safeguarding and wellbeing, and other council functions
* 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 adoption services as a local authority and a member of the Adoption North London Regional Adoption Agency
* work effectively with other agencies to ensure they have the information they need to undertake their roles effectively and safely
1. **What information do we collect and use (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
* information on the stability of looked after children’s experience of care, eg: placement, school and allocated social worker
* education
* emotional wellbeing, behaviour (including offending behaviour) and general development
* information on parent/s’ 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 adopters such as personal history, medical and employment history as part of their assessment of suitability in order to match them with specific children.

**Special category (sensitive) data**

* ethnicity
* religious belief
* information about the child’s health
* information about parents and adopter’s physical and mental health including, substance misuse or offending behaviour (where necessary to safeguard children and or determine suitability to be an adopter).
* Other information as individual circumstances require to allow the council to undertake its duties

**Criminal offence data**

* details of allegations of criminal actions, convictions, sentences and other related data where this is relevant to our work
* whether individuals are a victim/survivor and/or a perpetrator (alleged or proven)
* Other information as individual circumstances require to allow the council to undertake its duties
1. **Agencies CSSW may share data with**
	1. **Explanation:**

To allow the council to carry out its duties properly it may need to share some or all information listed in section 4 with some or all of the other parties listed below. We only share information when the law (and our policies) allow or require us to. Information is only shared where it is necessary to do so, and information is always shared securely.

Information listed in section 4 may also be requested from other parties, to allow the council to undertake its social work duties effectively.

The council does not need consent to share data with other organisations because consent is not the legal basis. This is explained in section 12. Where possible we will tell you what data is being shared and why, but in some cases we do not have to do that. Example would be where we are asking for information from the police or where we are sharing safeguarding information with another organisation and to alert you may leave the child concerned at risk.

We also undertake general data matching or data sharing in certain areas for the prevention or detection of crime. More details on this are available on the Council’s general privacy page at [www.camden.gov.uk/privacy](http://www.camden.gov.uk/privacy)

The council has a number of data sharing agreements with agencies to cover data sharing, the main ones are available here [Data Sharing Agreements (DSAs) | Open Data Portal (camden.gov.uk)](https://opendata.camden.gov.uk/Your-Council/Data-Sharing-Agreements-DSAs-/5ict-9ee7)

* 1. **List of parties we may share data with:**
* GPs and health professionals
* Education (including early years)
* Police
* Probation
* Schools
* Other council services such as Early Help services, Housing, Adults’ Social Care, Legal Services, Data Protection and Information Rights
* Youth Offending Service
* Mental health services
* Drug and alcohol services
* Voluntary organisations
* Other local authorities
* The Department for Education
* Ofsted.

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

* the adopter’s home local authority
* the following local authorities who are part of the Adoption North London Regional Adoption Agency
* the Adoption and Special Guardianship Leadership Board
* the courts and anyone party to proceedings
* other adoption agencies for the purposes of matching
* past and present partners and employers as part of the assessment process
* social media for the purposes of matching.
1. **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 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 10 years.
1. **What information is mandatory for you to provide and the consequence of not providing the information**

As part of our approach to working in partnership with families and adopters, we will always try and work cooperatively with you. However, the council has duties around safeguarding and there will be occasions when providing information to the council is necessary, and failing to do so may have adverse consequences.

1. **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

1. **Automated decision making**

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

1. **Your data subject rights and requesting access to personal data**

Under data protection legislation, parents, carers and children have the right to request a copy of information we hold about them. Parental access to a child’s data is not automatic and may be restricted where appropriate. Where the child is aged 13 and over they must consent to a parent having access.

There are other data subject rights which can be seen on our website [Your rights - Camden Council](https://www.camden.gov.uk/your-rights#oipr) .Please see the ICO website <https://ico.org.uk/> for more information.

To make a request for your personal information or to exercise other data protection rights please use our web form [Your rights - Camden Council](https://www.camden.gov.uk/your-rights#owam)

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

1. **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 without charge, Telephone: 0303 123 1113 , live chat <https://ico.org.uk/global/contact-us/live-chat/> or webform <https://ico.org.uk/global/contact-us/>

1. **Legal basis for processing information**

Our legal basis for processing is:

**Personal data**: UK GDPR article 6(1)(c) (Legal duty) and article 6(1)(e) (public task)

**Special category data**: Article 9 (b) Employment, social security and social protection (if authorised by law);

9(g) Reasons of substantial public interest (with a basis in law);

9 (h) Health or social care (with a basis in law).

For (b) and (h) the Data Protection Act 2018 Schedule 1 Part 1 conditions are: paras 1 (Employment, social security and social protection) and 2 (Health or social care purposes), with the underlying laws being those described below

For (g) the Data Protection Act 2018 Schedule 1 Part 2 conditions are paras 6 (Statutory and government purposes), and 18 (Safeguarding of children and individuals at risk) with the underlying laws being those described below

**Criminal offence data**: UK GDPR Art 10 requirements met by the article 6 legal basis above and the Data Protection Act schedule conditions as described above.

The underlying laws relied on are:

* **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
* **Adoption Agencies Regulations 2005 i**n order to provide adoption services to adopters, birth families and children
* **Care Planning, Placement and Case Review Regulations 2010** in order to provide a service for children who are looked after by Camden.