

Children's Safeguarding and Family Help (CSFH) - privacy notice

Name and contact details of the data controller:

London Borough of Camden
Judd Street
London
WC1H 9JE.

Name and contact details of the Data Protection Officer:

Andrew Maughan, Borough Solicitor
Email: 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

CSFH 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 adoption services as a local authority and a member of the Adoption North London Regional Adoption Agency and the North London Fostering Network.

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 foster carers and children and young people.
- **Adoption Agencies Regulations 2005** - to provide adoption services to adopters, birth families and children
- **Care planning, placement and case review Regulations 2010** - to provide a service for children who are looked after by Camden.

Although it is not mandatory for parents to provide information, this will limit the standard of service we can offer. Where information needs to be shared to safeguard and promote the welfare of a child, CSFH do not need consent to share information.

The information sharing duty

Some agencies who work with children, such as health services, the police, schools and youth justice, have **a duty to share information** with CSFH for the purposes of safeguarding and promoting children's welfare under the Children Act 2004. As no statutory threshold needs to be met for the duty to apply it will cover children who benefit from an Early Help service.

The information sharing duty **does not apply** where sharing the information may be more detrimental to the child than sharing the information.

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 by the Family Help service, 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 – for example, placement, school and allocated practitioner
- 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 CSFH or other services
- criminal offence data where this is relevant to our work
- 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 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 determine suitability to be a foster carer or an adopter).

Agencies with whom CSFH has or will share the data

- GPs and health professionals
- Education (including early years)
- Police
- Early Help services
- Probation

- Housing
- Youth Justice Service
- Mental health services
- Drug and alcohol services
- Voluntary organisations
- Other local authorities
- The Department for Education
- Ofsted.

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

- the foster carer or adopter's home local authority
- local authorities who are part of the Adoption North London Regional Adoption Agency and the North London Fostering Network
- 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.

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. The council has a number of data sharing agreements with agencies to cover data sharing, the main ones are available. [Data Sharing Agreements \(DSAs\) | Open Data Portal \(camden.gov.uk\)](#).

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

CSFH holds data securely on our electronic case recording system MOSAIC.

CSFH 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.
- Family Help 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
- we hold information about foster carers for 10 years after they stop fostering.

Your data subject rights and requesting access to personal data

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 or to exercise other data protection rights please use our web form: [Your rights - Camden Council](#).

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.

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 CSFH 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 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

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

The legal basis we use to process data are: UK GDPR article 6(1)(c) (Legal duty) and article 6(1)(e) ('public task'); and 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) and (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 above; and 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 above; and for criminal offence data we meet the UK GDPR Art 10 requirements by the article 6 legal basis above and the Data Protection Act schedule conditions as described for article 9.

