

CHILDREN AND FAMILIES PRIVACY NOTICE

Short Privacy Notice – Children and Families

North Lincolnshire Council Children and Families teams collect and use personal data to provide effective social care to meet the needs of children and families in North Lincolnshire, to safeguard these children and to fulfil statutory duties on behalf of the council.

Personal data will be handled in accordance with the General Data Protection Regulation / Data Protection Act 2018 and other relevant legislation and will not be disclosed to any other third party, unless allowed or required to do so by legislation. For further details about the processing of your personal data please see the **Full Privacy Notice** and other information on our Data Protection and Privacy web page.

Full Privacy Notice – Children and Families

Purpose of this Privacy Notice

This Privacy Notice tells you how North Lincolnshire Council uses personal data in relation to Children and Families teams to provide effective social care to meet the needs of children and families in North Lincolnshire, to safeguard these children and to fulfil statutory duties on behalf of the council.

Data Controller

North Lincolnshire Council.

Data Protection Officer

Our Data Protection Officer is Phillipa Thornley and she can be contacted by email using **informationgovernanceteam@northlincs.gov.uk** or at Church Square House, 30-40 High Street, Scunthorpe, DN15 6NL.

Contact details

North Lincolnshire Council - Children and Families
Church Square House
30-40 High Street
Scunthorpe
North Lincolnshire
DN15 6NL

Email: **customerservice@northlincs.gov.uk**

Telephone: 01724 296500 (9am to 5pm Monday to Thursday, 9am to 4.30pm Friday)

01724 296555 (Answerphone – out of office hours and at weekends)

08081 689667 (Free phone)

Website: **North Lincolnshire Services for Children and Young People**

What do we mean by personal confidential data?

Personal data relates to living persons and is information that can be used to identify an individual such as name, date of birth, address, and postcode.

What data do we have?

1. Personal Data

We collect and process personal data including the following:

- Personal data – name, date of birth and contact details.
- Reference numbers – NHS Number, National Insurance Number and Unique Pupil Number.
- Gender.
- Any additional personal data necessary to assess and to provide the service or care needed – details of past care or involvement, further information about the child/young person and/or their family or carers and details of any special care requirements.

We collect and process special category personal data when necessary, as follows:

- Medical information about the child/young person and/or their family or carers.
- Language and ethnicity
- Religious belief
- Information related to sexual orientation or sexual life
- Commission or alleged commission of an offence.

What do we do with the data we have?

We use the data to assess and provide support and services to children and young people and/or their family or carers, and to analyse the performance of the support and service provided to make improvements where necessary and to plan for the future.

Who do we share your data with?

We may share personal information with organisations, including:

- Service providers and Partner Agencies.
- Other council services.
- Other Local Authorities.
- Schools.
- Health organisations.
- The Child Protection - Information Sharing service (CP-IS) that helps health and social care professionals share information securely to better protect:
 - Children with looked after status.
 - Those who have a child protection plan
 - Expectant women who have an unborn child protection plan.
- Ofsted.
- Central Government Departments such as the Department for Education.
- Ombudsman and Regulatory bodies.

- Courts, Hearings and Tribunals.
- Legal Representatives.

We may be required to disclose personal data about you for reasons including the following:

- When required to do so by law.
- For the prevention and detection of crime.

When considering whether to share data relating to children and young people, we always consider what is in their best interests and this forms part of the decision about whether to share the data and what data to share, taking into account the duty to share the minimum amount of data to protect privacy.

How do we get your personal data and why do we have it?

We collect personal data when we assess a child or young person and/or their family or carers and when we provide support or deliver services to them.

The lawful bases we rely on to process personal and special category personal data are:

- (a) Public interest or official authority vested in the controller – UK GDPR Article 6(1)(e).
- (b) Compliance with a legal obligation – UK GDPR Article 6(1)(c).
- (c) Consent of the data subject – UK GDPR Article 6(1)(a).
- (d) Substantial public interest – UK GDPR Article 9(2)(g) and Data Protection Act 2018
Data Protection Act 2018 Schedule 1, Part 2, Condition 6 – Statutory and Government Purposes, Condition 8 – Equality of opportunity or treatment and Condition 18 – Safeguarding children and individuals at risk.
- (e) Provision of health or social care or treatment or the management of health or social care systems and services – UK GDPR Article 9(2)(h)
Data Protection Act 2018 Schedule 1, Part 1, Para 2 – Health and Social Care Purposes.
- (f) Legal claims or judicial acts – UK GDPR Article 9(2)(f)
- (g) Archiving, research, and statistics – UK GDPR Article 9(2)(j)
Data Protection Act 2018 Schedule 1, Part 1, Condition 4 – Research.
- (h) Criminal convictions and offences – GDPR Article 10 and Data Protection Act 2018 Schedule 1, Para 2 – Health and Social Care Purposes and Para 18 – Safeguarding children and individuals at risk.

The legislation we rely on includes:

- Children’s Act 1989, 1996, 2004
- Children and Social Work Act 2017

- Health and Social Care Act 2012
- Mental Health Act 1983
- Mental Capacity Act 2005
- Education Act 1996 and 2002
- Education and Skills Act 2008
- Local Government Act 2000
- Localism Act 2011
- Borders, Citizenship, and Immigration Act 2009

Please note that we will not process your personal data for a purpose that is incompatible with the reason it was collected for unless this is allowed or required under Data Protection legislation.

The council has created a Hub for children's data called the OFA Hub. This brings together council held data to enable more timely and well-informed decisions about the provision of help and support. This is taking a one family approach to improve outcomes for children and families.

The council has created a vulnerability matrix to identify children who are vulnerable to experiencing poor outcomes or harm due to their vulnerability characteristics so that decisions/recommendations can be made about the provision of help and support. This includes school attendance information, missing from home or care incidents and whether this an open case with organisations such as local authority children's social care or another similar organisation.

The Children's Commissioner's Stability Index Project is an ongoing project to measure levels stability for children in care. To date this work has examined rates of stability for children in care across three domains: placement changes, school changes and social worker changes. The Children's Commissioner has already collected the 2020 Stability Index data, the annual measure of the stability experienced by children in care, from local authorities. Following successful discussions with the Department for Education (DfE), the Stability Index statistics will now be carried out by the DfE.

To support the DfE taking forward the Stability Index, the Office of the Children's Commissioner is sharing the following data with the DfE:

- 1) All social worker episodes between 1 April 2017 and 31 March 2019, for the cohort of children who were looked after by your local authority on 31 March 2019;
- 2) All social worker episodes between 1 April 2018 and 31 March 2020, for the cohort of children who were looked after by your local authority on 31 March 2020.

The council has signed up to the Beebot Digital Family Hub that is a digital solution designed to support families digitally and enhance access to services and information online by providing comprehensive support and vast resources for families and children. Beebot is developed in adherence to the Family Hubs digital guidelines for UK councils.

Can I withdraw my consent?

Yes, where the personal data has been collected and processed on the basis of consent. Generally public authorities like the council are advised not to rely on consent to process personal data, because it creates a situation where there is an imbalance of power. For example, if the council had serious concerns about a child or young person it would be wrong not to share personal data with professionals who could provide a relevant service. If the child or young person refused to give consent for their personal data to be shared the council would most likely be duty bound to share the personal data against those wishes. Therefore, consent is not the correct lawful basis to rely upon to process the personal data.

How do we store your information and for how long?

Our employees have contractual obligations of confidentiality, enforceable through disciplinary procedures and receive appropriate training on confidentiality and other aspects of Information Governance.

We take organisational and technical measures to ensure the information we hold is secure – such as using secure locations, restricting access to authorised personnel and protecting personal and confidential information held electronically. We only exchange personal confidential information using secure methods, such as encrypted email.

Your personal data is retained in accordance with national guidance and our legal obligations. In this instance we will retain your personal data as set out in our Records Retention Schedule including, as follows:

Generally 6 + current year following closure of the case (25 or 32 years after Date of Birth), unless there has been a child protection plan in place when retention would be 40 years or where a child has been in care retention would be 75 years. If a child dies before reaching 18 years of age retention would be 5 years from the date of death.

Please note that there is currently a national embargo on the destruction of some data relating to children and young people and that personal data may be anonymised and kept for a longer period for statistical purposes.

Your Data Protection Rights

Under Data Protection law, you have rights including:

- **Your right of access** - to ask us for copies of your personal information.
- **Your right to rectification** - to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- **Your right to erasure** - to ask us to erase your personal information in certain circumstances.
- **Your right to restriction of processing** - to ask us to restrict the processing of your information in certain circumstances.
- **Your right to object to processing** - to object to the processing of your personal data in certain circumstances.
- **Your right to data portability** - to ask that we transfer the information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at **customerservice@northlincs.gov.uk**, 01724 297000 or North Lincolnshire Council, Church Square House, 30 – 40 High Street, Scunthorpe, DN 15 6NL if you wish to make a request.

How to Complain

The main point of contact at the council for Data Protection matters is our Data Protection Officer (DPO). If you have any Data Protection concerns about the collection of personal data for COVID19 and wish to make a complaint please contact our DPO, as follows:

Phillipa Thornley

Email: **informationgovernanceteam@northlincs.gov.uk**

Telephone: 01724 297000

Post: North Lincolnshire Council, Church Square House, 30-40 High Street, Scunthorpe, DN15 6NL

If you remain unhappy you can also complain to the ICO, as follows:

Website: **[Information Commissioner's Office](#)**

Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113