

## Privacy Notice for Foster Carers and Applicants

We take our legal duty for safeguarding your personal data and privacy very seriously.

This privacy notice sets out what sort of information we hold on foster carers, support members and people applying to become foster carers, why we need it, how we hold it, how we use it, who we share it with and what rights you have in relation to this information.

For the purpose of data protection laws, the **data controller** is Little Acorns Fostering Ltd, Rook Tree Barn, Withersfield Road, Great Wratting CB9 7HD "(LAF)"

We are required to have a **Data Protection Officer**. This person is responsible for making sure that our fostering service complies with its legal duties about collecting, keeping and sharing your personal data. Our Data Protection Officer is Mick Jillions who can be contacted by writing to the address above by emailing [mick@littleacornsfostering.co.uk](mailto:mick@littleacornsfostering.co.uk).

### Data Protection Principles

Under the GDPR, there are six data protection principles that we must comply with. These provide that the personal information we hold about you must be:

1. Processed lawfully, fairly and in a transparent manner;
2. Processed only for specified, explicit and legitimate purposes that have been clearly explained to you;
3. Adequate, relevant and limited to what is necessary;
4. Accurate and kept up to date;
5. Kept for no longer than is necessary;
6. Processed in a way that ensures appropriate security of the data.

'Personal Data' means any information relating to an identifiable person who can be identified (directly or indirectly) by reference to an identifier.

### Why do we collect your personal data?

We collect and use your personal data in relation to your position as a foster carer, member of the fostering household, your role as a support member or a person applying to foster; we collect this data because the law requires us to do so.

Before we are allowed to approve you as a foster carer we must assess you to consider whether you are suitable to look after children and young people. This involves us collecting and recording a lot of personal information about you, your family, and persons in your household. The law requires us to keep this information for a number of years, whether or not you end up being approved.

If you are approved as a foster carer, we have a duty to supervise and support you to look after children, and to keep records of how we are doing that. We also have a legal responsibility to review your approval at least annually, and the information we have gathered and recorded is also used for that purpose.

## **What personal information do we collect?**

### **Information collected to process your application**

When processing your application to foster we collect information regarding you and your family. This includes;

- Personal details such as your full name, date of birth, ethnic origin, religion, language and, your right to work in the UK and family composition;
- Your Contact Details such as your address, telephone number and email address;
- Detail about your lifestyle such as your accommodation, health, employment, current/previous relationship, previous fostering/adoption experience and financial situation;
- We also collect criminal record details.

### **Information collected as part of the fostering assessment:**

If you continue to the assessment process, we collect information to assess your suitability to become a foster carer. This includes;

- **Information about your identity** such as your full name, title, ethnicity, sexuality, disability, marital status, date of birth, gender, languages spoken. We also verify your identity by requesting a copy of your passport, National Insurance Number, marriage certificate (if applicable), proof of address and Driving Licence;
- **Data about your background** such as childhood, personality family and other relationships including current and past marital status/relationships, education experience, employment/voluntary history, finances, address history and any previous fostering/adoption experiences;
- **Details about your lifestyle** such as your household accommodation, community, support network;
- **Details about your capacity/suitability to be a foster carer**, i.e. caring for children, providing structure, resilience, working with others, diversity and safer caring.

Your social worker will explain the assessment process to you and show you the forms we use to record these details.

We also collect 'Criminal Records Data' including details of any spent convictions, cautions or warnings. You will be asked to give written consent to us taking up enhanced Disclosure and Barring checks, medical and other checks and personal and other references. We are required to hold this information in your case record.

### **Information Collected regarding Approved Foster Carers**

If you are approved as a foster carer, the personal information we collect and record includes:

- **Financial Data** such as your bank account details, Unique Tax Reference, National Insurance Number;
- '**Criminal Records Data**' including details of any spent convictions, cautions or warnings will be updated at required intervals;
- We will continue to collect **personal information** including: records about the children placed with you and how you care for them, training that you undertake, any changes in your health or circumstances and any complaints or allegations about you;
- Information gathered as part of the annual review process; this includes reports completed by you, your supervising social worker, your children, the children placed with you, their social workers and the reviewing officer – These documents may also be presented to the fostering panel;
- You will have regular supervision meetings and receive support from LAF Staff; all this information will form part of your case record.

As part of the post-approval process, we also process 'Criminal Records Data', Medical Checks and other checks that may be required to assess your ongoing suitability to foster; You will be asked to give written consent to these checks. We are required to hold this information in your case record.

### **Do we keep data on your family including your children?**

In assessing you to be a foster carer, and in working with you when you are a foster carer, it is necessary for us to have personal information about others in your family and/or living in your household. Most of this information will have been provided by you as part of your assessment or in supervision after you are approved, or by them directly, or very occasionally by others.

This personal information will be contained within your records, and we will not have a separate case record for your family members or household members. We ask that you inform your family and household members about this, according to their age and understanding, and tell them that they can read this privacy notice if they want to.

We collect personal data about family/household members of those wishing to become foster carers; this includes:

- Personal Data such as their full name, gender, date of birth;
- Information about their background and identity such as previous fostering/adoption experience, lifestyle.

We may ask them for a reference, which will contain their personal opinion about the person applying to foster with us. Adult members of the fostering household will also be asked to give written consent to us processing Disclosure and Barring Checks and other checks that may be relevant (i.e. Local Authority Checks).

**We also collect the following types of data when you use our website:**

- Technical Data which includes your IP address, browser type and version, time zone setting and location, browser plug-in types and any system and any other technology on the devices you use to access our website;
- We collect information on how you use our website and services;
- We collect data for marketing purposes, i.e. your preferences regarding marketing material you may receive from us and the way we communicate with you;
- We also collect, use and share statistical data. Statistical Data may be derived from your personal data but is not considered personal data in law as this data does not disclose your identity – However, if we combine or connect Statistical Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice;
- As you interact with our website or email marketing, we may automatically collect Technical Data about your equipment, browsing actions and patterns – We collect this personal data by using cookies, server logs and other similar technologies – We may also receive Technical Data about you if you visit other websites employing our cookies.

**Special Category Data**

Special category data relates to your racial or ethnic origin, religion; biometrics (where used for ID purposes); health and sexual orientation. We collect **Special Category Data** throughout various stages of the assessment and post-approval process.

We also process **Criminal Offence Data** including details of any spent convictions, cautions or warnings will be updated at required intervals. This information will be processed, with your explicit consent, as part of the assessment process and post-approval process.

**If you fail to provide personal data**

If you fail to provide certain personal information when requested or required, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

### **How do we collect your Personal Data?**

Much of the personal information we hold will have been provided by you, such as when you;

- Request information about becoming a foster carer; either directly from LAF, the LAF website or via Social Media sites or third parties;
- Complete an application form to become a foster carer;
- Take part in the assessment process (i.e. conversations with your assessing social worker);
- Take part in supervision sessions or other meetings and training;
- Communicate with us by phone, email or letter;
- Subscribe to our services or newsletters or when you request marketing material to be sent to you.

Other information will come from third parties during the assessment such as criminal records checks, medical assessments or from personal referees, employers, local authorities, but only where you have given consent for us to approach them.

### **How do we use your personal data?**

We will only use your personal data when the law allows us and in the following circumstances;

- You have given us consent;
- We need to comply with a legal requirement;
- We need to fulfil the requirements of a contract that we are about to enter into, or have entered into, with you;
- It is necessary for our lawful interest (or those of a third party) and your interests or rights do not override those interests.

We keep and use your information to enable us to run a fostering service in line with the requirements that are set out in law. This will include assessing your suitability to be a foster carer, presenting a report about this to our fostering panel, matching you with children who need to be fostered, supporting and supervising your activity as a foster carer and formally reviewing, at least annually, your continued suitability to foster.

### **Purposes for which we will use your Personal Information**

We may use your personal data for different purposes; the following are a list of purposes for which we process your personal information and the lawful bases on which we rely to carry out such processing;

Purpose	Lawful Basis
Direct Marketing	– Consent, where we have a record that shows you have given us express consent to use your personal data
Data Analytics and Online User Engagement	– Consent, where we have a record that shows you have given us express consent to use your personal data. Please refer to the cookie policy
Process your application to foster	<ul style="list-style-type: none"> <li>– Necessary for the performance of the contract</li> <li>– Legal Obligation as specified in law</li> <li>– Special Category Data that forms part of your application to foster: Processing is necessary for the purposes of carrying out the obligations of the controller in the field of employment (i.e. legal requirements in relation to fostering)</li> </ul>
Undertaking a fostering assessment	<ul style="list-style-type: none"> <li>– Necessary for the performance of the contract</li> <li>– Legal Obligation as specified in law</li> <li>– Necessary for our legitimate interest</li> <li>– Special Category Data that forms part of your application to foster: Processing is necessary for the purpose of carrying out the obligations of the controller in the field of employment (i.e. legal requirements in relation to fostering)</li> <li>– Criminal Offence Data that forms part of your application to foster; processing is necessary for the purpose of a contract and is also specified in law (Fostering Services Regulations)</li> </ul>
To maintain records relating to prospective foster carers, approved foster carers and children looked after	<ul style="list-style-type: none"> <li>– Legal Obligation as specified in law</li> <li>– Necessary for the performance of the contract</li> <li>– Where this involves special category data, processing is necessary for the purpose of carrying out the obligations of the controller in the field of employment (i.e. legal requirements in relation to fostering)</li> </ul>
To assess your ongoing suitability as a foster carer and provide you with supervision and support	<ul style="list-style-type: none"> <li>– Legal Obligation as specified in law</li> <li>– Necessary for the performance of the contract</li> <li>– Where this involves special category data Processing is necessary for the purpose of carrying out the obligations of the controller in the field of employment (i.e. legal requirements in relation to fostering)</li> <li>– Criminal Offence Data that forms part of your application to foster; processing is necessary for the purpose of a contract and is also specified in law (Fostering Services Regulations)</li> </ul>
Matching and placement of children/young people in your care (this involves assessing your suitability to looked after a specific child and	<ul style="list-style-type: none"> <li>– Necessary for the performance of the contract</li> <li>– Where this involves special category data Processing is necessary for the purpose of carrying out the obligations of the controller in the field of</li> </ul>

Purpose	Lawful Basis
provide details of the placement to the relevant local authority)	employment (i.e. legal requirements in relation to fostering – Criminal Offence Data that forms part of your application to foster; processing is necessary for the purpose of a contract and is also specified in law (Fostering Services Regulations)

We will only use your personal information for the purpose for which we collected it, unless we are required or permitted by law; if we need to use your personal information for any other purpose we will contact you to explain the lawful basis required for the processing.

### Your rights in connection with your personal information

Subject to certain conditions, and in certain circumstances, you have the right to:

- **request access to your personal information** – this is usually known as making a data subject access request and it enables you to receive a copy of the personal information we hold about you;
- request **correction** of your personal information – this enables you to have any inaccurate or incomplete personal information we hold about you corrected;
- **request erasure** of your personal information – this enables you to ask us to delete or remove your personal information where there’s no compelling reason for its continued processing, e.g. it’s no longer necessary in relation to the purpose for which it was originally collected;
- **restrict the processing** of your personal information – this enables you to ask us to suspend the processing of your personal information, e.g. if you contest its accuracy and so want us to verify its accuracy;
- **object to processing** of your personal information – this enables you to ask us to stop processing your personal information where we are relying on the legitimate interests of the business as our legal basis for processing and there is something relating to your particular situation which makes you decide to object to processing on this ground and where we do not have compelling legitimate interests to override such objection;
- **data portability** – this gives you the right to request the transfer of your personal information to another party so that you can reuse it across different services for your own purposes.

If you wish to exercise any of these rights, please contact our data protection officer. We may need to request specific information from you in order to verify your identity and check your right to access the personal information or to exercise any of your other rights.

These rights are not absolute and there may be certain circumstances where we are unable to comply with your request; in such cases we will explain why we cannot comply with your request.

### **Who has access to your data?**

Employees (including independent workers) of LAF will have access to your information for the legitimate purposes set out above. Additionally, we may share your information with third parties in certain situations:

- To undertake checks and references (i.e. medical assessment, DBS checks, personal/employment references) as part of the fostering assessment and ongoing suitability assessment, and only where you have explicitly consented to this;
- With members of our fostering panel at the time of your approval and at subsequent reviews – Your information will also be shared with Reviewing Officers as part of the review process;
- With local authority commissioning services who are considering whether you might be suitable to foster a specific child they are seeking to place;
- With external inspectors (i.e. Ofsted or Local Authorities) when they are inspecting the fostering service as required by law or contract;
- With Ofsted when we submit notifications in accordance with Regulation 36 of the Fostering Services Regulations;
- With the Independent Review Mechanism if you ask for a review of any decision by the fostering service about your suitability or continued suitability to foster;
- Where required, we will pass information we hold about our foster carers to organisations such as FosterTalk to register you with them as a member of our agency – Where required, i.e. in relation to a claim, we will also share the relevant information about our foster carers with our insurers;
- HM Revenue & Customs;
- With other fostering/adoption agencies when providing written references and only where you have provided consent to this.

We may make information available to regulatory authorities, governmental organisations, or other third parties if required to do so by any regulatory or legal authority, safeguarding enquiry or in order to comply with the law, or in some circumstances if you ask us to do so.

### **How do we make sure your personal data is kept safe?**

We have a range of policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed. We have a system to ensure that your information is accessed only by individuals authorised by us to do so in the performance of their duties.



Your personal data that is held electronically is only accessible to legitimate persons, and appropriate encryption and other systems are in place to ensure this. Where we are required to share your information with others, we will take reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal information.

All of our staff are trained in data protection duties and are required to comply with our data protection policies.

When we share your information with third parties, we are obliged to check that those third parties have systems in place to protect your information with appropriate security measures and that they will not disclose your information to others.

If there is a data breach, where we 'lose' or wrongly share any of your personal information by mistake, we will inform you of that, and tell you what action we are taking.

#### **How long do we keep your personal data?**

The law is very clear that personal data should not be kept longer than is necessary, but in relation to fostering we are required to hold data for a set minimum period of time.

For approved foster carers, the case record must be kept for at least ten years from the date on which you ceased to foster. There may be circumstances in which we decide the case record should be maintained for more than ten years. We will tell you if we do so.

Where a person has inquired about fostering, but for whatever reason has not gone on to be approved, the case record will be held for three years from the date when it was decided that the inquiry or application would not proceed.

#### **How can you see what personal information is held on your record?**

You can ask to see what personal information we hold about you. This is sometimes called a subject access request. We will provide this information to you within one month (unless things are very complicated), and there is no cost for this.

If you want to see the information we hold about you then please contact the data controller whose details are provided earlier in this notice. You do not have to give any reasons for why you want to see this information.

#### **Use of Cookies**

Cookies are small files of letters and numbers stored on a person's computer (or tablet/mobile phone) which allow us to recognise and track users of our website.

We use the following cookies on our website;

- Session cookies; These cookies are used by the server to store information about user page activities so users can easily pick up where they left off on the server's pages. Some cookies act as a sort of "bookmark" within a website.
- Persistent cookies; On your first visit to our website, the website is presented to you in 'default mode'; you then select your preferences and these preferences are remembered, through the use of the persistent cookie, the next time you visit our site. This allows the website to remember you on subsequent visits, enhancing your experience of using our website.
- Third party cookies; A third party cookie is issued by a different server to that of the domain being visited. For example, on our website Twitter, Facebook or YouTube, It could be used to trigger a banner advert based on the visitor's viewing habits.

For more information on managing Cookies, please follow this link <https://ico.org.uk/for-the-public/online/cookies/>.

### **International Transfers**

The only circumstances where we may transfer data outside of the EEA (European Economic Area) is in relation to external websites (like Survey Monkey) that transfers some data to the United States. We always ensure that external websites have mechanisms in place which is compliant with GDPR.

### **Linking to other websites**

Our website sometimes include links to other third-party websites which are not within our control. Once you have left our website, we cannot be held responsible for the content of these third-party websites or the protection and privacy of any information which you provide to those websites.

### **Comments or Concerns**

If you have any concerns or comments about how we use your information, we would like to hear from you. Please contact the data controller whose details are provided earlier in this notice.

Alternatively, you may contact the [Information Commissioner's Office](https://www.ico.org.uk) ([www.ico.org.uk](https://www.ico.org.uk)) for guidance and advice, or to lodge a complaint:

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